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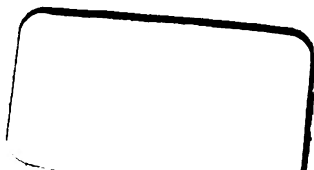
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# L A W S

OF THE

## GENERAL ASSEMBLY

OF THE

# STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1861.

IN THE

EIGHTY-FIFTH YEAR OF INDEPENDENCE.

---

WITH AN APPENDIX.

---



HARRISBURG:

A. BOYD HAMILTON, STATE PRINTER.

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1861.



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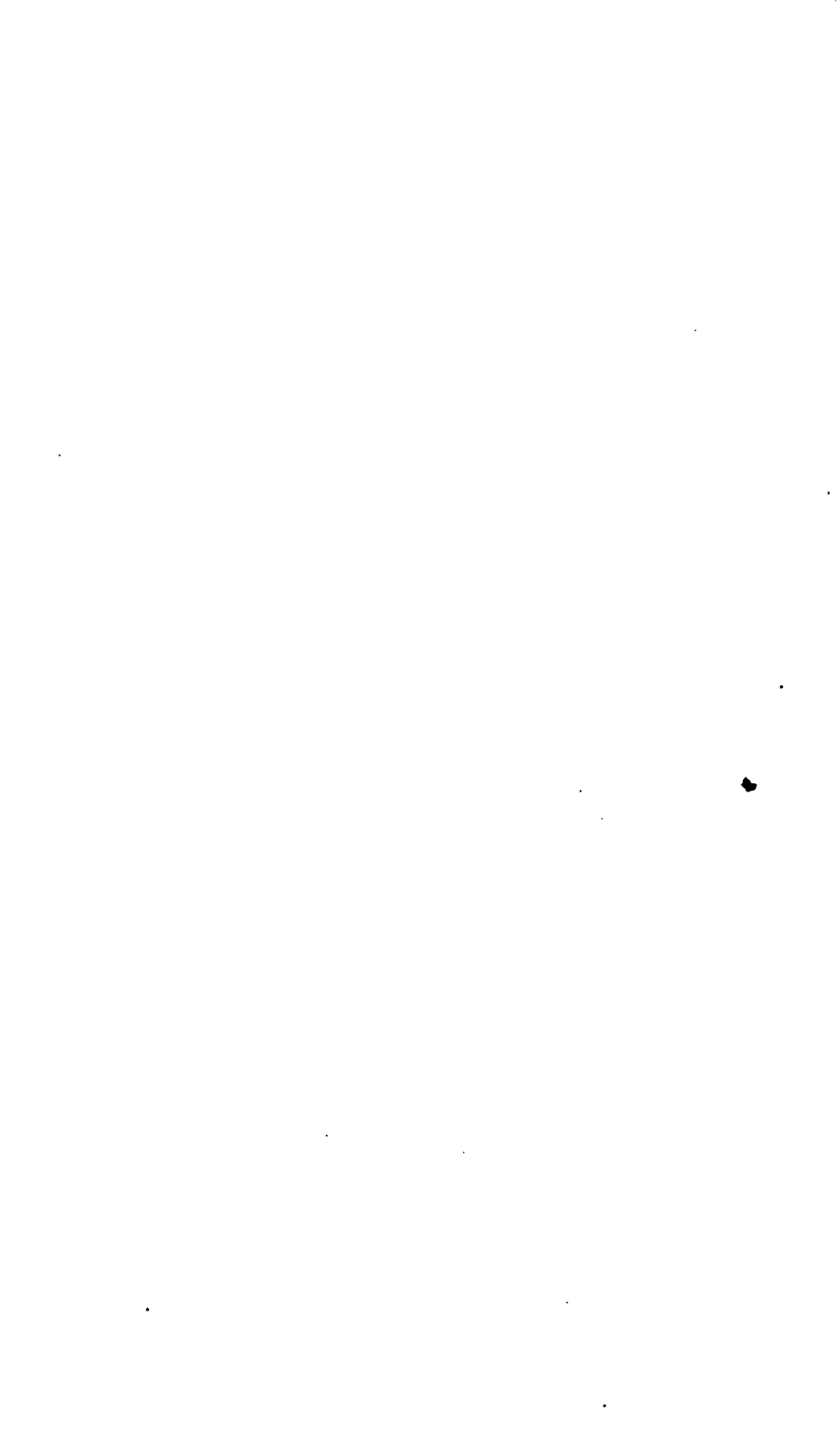
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# L A W S

OF THE

## COMMONWEALTH OF PENNSYLVANIA.

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No. 1.

### A FURTHER SUPPLEMENT

To an act approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act to incorporate the Pittsburgh and East Liberty Passenger Railway Company."

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act, approved the sixth day of March, Anno Domini one thousand eight hundred and sixty, entitled "A supplement to an act to incorporate said railway company," as authorizes the said company to build a branch of said road along Ward street, be and the same is hereby repealed.

**SECTION 2.** That at all annual elections for managers of said passenger railway company, it shall be lawful for the stockholders thereof to elect, on the day fixed for said annual election, three stockholders to be judges of said election, who shall have all the powers and privileges, and be subject to all the restrictions and requirements mentioned in the fifth section of the act of assembly, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, regulating railroad companies.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

**APPROVED—**The eighth day of January, Anno Domini one thousand eight hundred and sixty-one.

WM. F. PACKER.

## LAWS OF PENNSYLVANIA,

No. 2.

## AN ACT

Extending the provisions of the act of eighteen hundred and fifty-one, to the borough of Green Castle.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act regulating boroughs, passed the third day of April, one thousand eight hundred and fifty-one, be and they are hereby extended to the borough of Green Castle, in the county of Franklin.*

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

WM. F. PACKER.

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No. 3.

## AN ACT

To enable citizens to hold title which had been held by Aliens and Corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whensoever any alien, or any foreign corporation, or corporations of another or of this state, shall have held title to real estate within this state, which he or they were not by the laws of this commonwealth authorized to hold, and shall have heretofore conveyed such title to any citizen of the United States, before any inquisition shall have been taken against the real estate so held to escheat the same, such citizen shall hold, and may convey such title and real estate, indefeasibly, as to any right of escheat in this commonwealth, by reason of such real estate having been*

held by an alien, or corporation, not authorized to hold the same, or to the extent in which it had been held.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

WM. F. PACKER.

No. 4.

# A N A C T

To authorize the Court of Common Pleas of Berks county to appoint Auditors to re-audit and re-settle the account of George Feather, late Treasurer of Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the court of common pleas of Berks county is hereby authorized to appoint three auditors to re-audit and re-settle the account of George Feather, late treasurer of Berks county.*

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eleventh day of January, Anno Domini one thousand eight hundred and sixty-one.

WM. F. PACKER.

## No. 5.

## AN ACT

To authorize the School Directors of Beallsville, Washington county, to borrow money.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the common schools of the borough of Beallsville, in the county of Washington, for the time being, or their successors in office, be and they are hereby authorized and empowered to borrow any sum or sums not exceeding sixteen hundred dollars, at any rate of interest not exceeding six per cent. per annum, for the purpose of paying off the indebtedness incurred in the enlargement and improvement of the public school house in said borough; and it shall and may be lawful for the board of school directors of said borough, to secure the money so borrowed by bond or bonds, with mortgage or mortgages on the real estate belonging to the common school district of said borough, or otherwise, as said directors may direct: *Provided,* That no certificate of loan, for the sum or sums so borrowed, shall, in any case, be issued for a less sum than one hundred dollars.

**SECTION 2.** That any loan which may be made in pursuance of the foregoing section of this act, shall be exempted from taxation, and the said school directors are hereby empowered to provide for the gradual liquidation of the said loan, by increasing, if necessary, the special school tax for building purposes, within said school district, above the rate fixed by existing laws: *Provided,* The same shall not exceed ten mills on the dollar annually.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eleventh day of January, Anno Domini one thousand eight hundred and sixty-one.

WM. F. PACKER.

No. 6.

AN ACT

Relating to the Road Laws of the county of Tioga.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act passed the second day of April, one thousand eight hundred and sixty, entitled "An Act relating to the road laws of M'Kean and Tioga counties," be and the same is hereby repealed, so far as relates to the county of Tioga. Repeal.

SECTION 2. That all the provisions of an act, passed the fourteenth day of April, one thousand eight hundred and fifty-five, entitled "An Act to consolidate and amend the road laws of the counties of Tioga, Potter, M'Kean and Elk," which were repealed by the act of the second of April, one thousand eight hundred and sixty, be and the same are hereby restored to their full force and effect, the same as if they had never been repealed, so far as relates to the county of Tioga. Certain act restored so far as relates to Tioga county.

SECTION 3. That the qualified voters of the said county of Tioga shall, at the next township election, elect two supervisors in each township, who shall also be overseers of the poor for their respective townships. Supervisors, election of.

SECTION 4. That full force and effect is hereby given to all such acts and contracts of the persons who were elected supervisors for the respective townships, in the said county of Tioga, at the last township election, and to all such service of process and proceedings, in the several courts of the county of Tioga, as are in accordance with the provisions of the act, passed the fourteenth day of April, one thousand eight hundred and fifty-five, entitled "An Act to consolidate and amend the road laws of the counties of Tioga, Potter, M'Kean and Elk, as if said act had never been repealed." Acts and contracts of former supervisors.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eleventh day of January, Anno Domini one thousand eight hundred and sixty-one.

WM. F. PACKER.

## LAWS OF PENNSYLVANIA,

No. 7.

## AN ACT

Authorizing the Governor to appoint a Notary Public for the borough of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor be and is hereby authorized to appoint an additional notary public for the borough of Washington, in the county of Washington, whose official acts shall be legal and valid, as if regularly appointed under existing acts of assembly.*

E. W. DAVIS,

*Speaker of the House of Representatives.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 8.

## AN ACT

Authorizing the Governor to appoint two additional Notaries Public, to reside in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor be and he is hereby authorized to appoint two additional notaries public for this commonwealth, to reside in the city of Philadelphia.*

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 9.

A SUPPLEMENT

To an act to incorporate the Butler Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, number one thousand and seven, entitled "An Act to incorporate the Butler mutual insurance company," approved April eleventh, Anno Domini one thousand eight hundred and fifty-nine, and which was repealed by the provisions of an act approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six, by the reason of the non-payment of the enrolment tax, be and the same is hereby re-enacted: Provided, The enrolment is paid within ninety days after the passage of this act.*

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The tenth day of January, Anno Domini one thousand eight hundred and sixty-one.

WM. F. PACKER.

No. 10.

AN ACT

Relating to a writ of error in the case of Alexander Guthrie and Hugh Maguire, plaintiffs in error, vs. Samuel Wilson, defendant in error.

WHEREAS, It appears that in the case of Alexander Guthrie and Hugh Maguire, plaintiffs in error, vs. Samuel Wilson, plaintiff below, in the supreme court for the Western district, being a writ of error to the court of common pleas of Clarion county, number thirty-one, May term, one thousand eight hundred and fifty-five, the said writ of error was *non prossed* at the last term, in Pittsburg, by reason of the loss of the record in the court below, and mistake of the plaintiffs in error, in the mode they had adopted for supplying the same; therefore,



## LAWS OF PENNSYLVANIA,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the aforesaid plaintiffs in error are hereby authorized to sue out another writ of error, in said case, within thirty days from the passage of this act, without bail, sufficient bail in error having been given in the former writ, and approved by honorable John S. M'Calmont, president judge, and said writ, when so sued out, shall be a supersedeas of execution in the court below, and that all proceedings upon the judgment below, and the recognizance of bail aforesaid, be stayed in the meantime: Provided, That nothing contained in this act shall be construed to work a discharge of the bail recited as aforesaid.*

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

We do hereby certify that the bill, entitled "An Act relating to a writ of error in the case of Alexander Guthrie and Hugh Maguire, plaintiffs in error, vs. Samuel Wilson, defendant in error," was presented to the governor on the tenth day of January, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,

*Clerk of the House of Representatives.*

C. P. RAMSDELL,

*Assistant Clerk of the Senate.*

HARRISBURG, January 31, 1861.

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No. 11.

## AN ACT

Authorizing the Commissioners of Fayette county to pay for the arrest of Samuel Fisher.

WHEREAS, Samuel Fisher, late of Fayette county, was charged with having been engaged in the commission of a number of larcenies in said county, and having fled to the state of Virginia: *And whereas, Calvin Springer and Peter Heck did go to the said state of Virginia, and induced said Fisher to return to said*

county of Fayette, to be tried upon the charges alleged against him, which he did, and was convicted and sentenced by the court of said county, to the penitentiary, for the term of six years, and there is no law authorizing said commissioners of said county to compensate said Springer and Heck for their services and expenses; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Fayette county are hereby authorized to pay to Calvin Springer and Peter Heck, such compensation as they may deem sufficient for the arrest of and expenses incurred in bringing Samuel Fisher from the state of Virginia.*

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 12.

## A SUPPLEMENT .

To an act for the relief of Nancy Lord, Nancy Wilkins and others.

WHEREAS, By an act of assembly, approved April fifteenth, one thousand eight hundred and fifty-two, the state treasurer was authorized to pay an annuity of forty dollars, during life, to Nancy Wilkins, of Jefferson county, which name was inserted, by mistake, instead of Jane Wilkins, her true name, and by reason of said mistake no part of the said annuity has been paid, and the said Jane Wilkins has thus been deprived of the bounty intended for her; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and required to pay to Jane Wilkins, of Jefferson county, an annuity of forty dollars during her life, commencing on the first day of January, one thousand eight hundred and fifty-two; and that so much of the act for the relief of Nancy Lord and others, approved April fifteenth, one thousand eight hundred and fifty-two, as authorizes*

## LAWS OF PENNSYLVANIA,

an annuity to be paid to Nancy Wilkins, be and the same is hereby repealed.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 13.

## AN ACT

To change the time of holding Borough Elections in the borough of Tamaqua, Schuylkill county.

WHEREAS, The court of quarter sessions of the county of Schuylkill, will not hold a session before the next February election, in said county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the borough elections, in the borough of Tamaqua, Schuylkill county, shall be held on the third Friday of February, in each and every year, and the terms of office, of all borough officers, shall expire on the Tuesday next succeeding such elections in February.

Time of holding  
election.

Repeal.

SECTION 2. That all acts, or parts of acts, inconsistent herewith, be and the same are hereby repealed.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 14.

AN ACT

To change the time for holding Borough Elections in the borough of Auburn, Schuylkill county.

WHEREAS, The court of quarter sessions, of the county of Schuylkill, will not hold a session before the next February elections, in said county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the borough elections, in the borough of Auburn, in the county of Schuylkill, shall be held on the third Friday of February, in each and every year, and the terms of office, of all borough officers, shall expire on the Tuesday next succeeding such elections in February. Time of holding election.

SECTION 2. That all acts, or parts of acts, inconsistent herewith, be and the same are hereby repealed. Repeal.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 15.

AN ACT

Relative to Treasurer's Sales in the county of Beaver.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of the county of Beaver shall be and he is hereby authorized and directed to commence, on the second Monday in March, in the year one thousand eight hundred and sixty-one, and adjourn from day to day, if it shall be found necessary so to do, and make public sale with the effect, and in the manner

**Sale of lands.** provided for by law, of all lands, seated or unseated, in the said county, which the said treasurer might lawfully have sold for non-payment of taxes on the second Monday of June, in the year one thousand eight hundred and sixty; and the said sale shall be good

**Deeds and bonds.** and valid, and the deeds executed by, and the surplus bonds delivered to the said treasurer, in pursuance thereof, effectual, as though the sale had been made on the second Monday of June, in the year one thousand eight hundred and sixty, after the notice required by the law: *Provided*, That notice of said sale shall be given by publication in one weekly newspaper of the county of Beaver, during four weeks preceding the same, in the form now required by law: *And provided also*, That this act shall not be construed to authorize the sale of any lands upon which the taxes for which the same were liable to sale on the second Monday in June, in the year one thousand eight hundred and sixty, have been paid since that day.

**Proviso.**

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 16.

## A SUPPLEMENT

To an act to incorporate the Tyrone and Clearfield Railroad Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Tyrone and Clearfield railroad company is hereby authorized to borrow the sum of fifty thousand dollars, and to secure the payment of the same by a mortgage of said road from Tyrone station to Phillipsburg, and all the real estate, corporate privileges and franchises of said road and company: subject to a mortgage, heretofore executed, of thirty-five thousand dollars on that part of said road extending from Tyrone station, three and one-fourth miles, to the intersection; and also of a mortgage of two hundred and twenty-five thousand dollars, heretofore executed, on that part of said road extending from the intersection to Phillipsburg: *Provided*, That no bond be issued for a less sum than one hundred dollars.

**May borrow money.**

**Mortgage.**

**Proviso.**

SECTION 2. The directors of said Tyrone and Clearfield rail- Directors elect  
road company are hereby authorized to elect a vice president, to vice president.  
act in the absence of the president of said company.

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of January, Anno Domini  
one thousand eight hundred and sixty-one.

A. G. CURTIN

### No. 17.

### AN ACT

Relating to Billiard Rooms, Bowling Saloons and Ten-Pin Alleys in Centre  
county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act for the better regulation of billiard rooms, bowling saloons and ten-pin alleys, in the counties of Chester and Delaware, approved thirteenth day of April, eighteen hundred and fifty-nine, be and the same are hereby extended to Centre county.

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of January, Anno Domini  
one thousand eight hundred and sixty-one.

A. G. CURTIN.

### No. 18.

### A FURTHER SUPPLEMENT

To an act relative to the building of certain Bridges over the Monongahela  
and Allegheny Rivers, opposite Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

**Election of managers.**

at the annual meeting of the stockholders of the company known by the name, style and title of the president, managers and company for erecting a bridge over the river Monongahela, opposite the borough of Pittsburg, in the county of Allegheny, held in each year for the election of officers of said company, in pursuance of law, the stockholders shall elect, in the manner provided by the act authorizing the incorporation of said company, thirteen managers, who shall serve for one year, and until others are duly chosen, and that the president, clerk and treasurer, and other officers of said company, shall be elected by the board of managers as hereinafter provided.

**Mode of election of officers.**

SECTION 2. That the board of managers of said company shall, at their first meeting held after their election, choose by ballot from their own number a president, who shall be the president of said corporation, with like powers as are given to the president of said company by the act or acts of assembly to which this is supplementary, and they shall also elect at such meeting a clerk and a treasurer, either from their own number or otherwise, as they shall see fit, and such other officers as they shall deem necessary for the conduct of the business of said company; and in case of the death, resignation or inability to serve, or absence from the United States of the president, or of any one or more of the board of managers, or other officers of said company, the board of managers shall have power, at any regular or special meeting, to supply such vacancy or vacancies: *Provided*, That if any member of the board of managers shall be elected to the office of president of said company, to supply a vacancy in that office occurring as aforesaid, the board of managers may elect a manager from the stockholders of said company to supply his place.

**Proviso.**

**Meeting of stockholders.**

SECTION 3. That in case the annual meeting of the stockholders of the said company shall not be held, or the managers of said company shall not be elected on the day appointed by law for that purpose, it shall be the duty of the president of the said company, within thirty days thereafter, to call a meeting of the stockholders, in the manner provided by law for that purpose; and the board of managers of said company, elected at such special meeting, shall hold their office until the next annual meeting of the stockholders thereafter, and until others are duly elected.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 19.

## AN ACT

To repeal and supply section fourth and fifth of an act, entitled "An Act to appoint a Road Commissioner to take charge of a portion of the Warren and Brookville, and of the Warren and Strattonville State roads, in Forest county," approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That sections fourth and fifth of the act, entitled "An Act to appoint a road commissioner to take charge of a portion of the Warren and Brookville, and of the Warren and Strattonville state roads, in Forest county," approved the twenty-fourth day of March, A. D. one thousand eight hundred and fifty-nine, be and the Repeal. same is hereby repealed.

**SECTION 2.** That it shall be the duty of the county commis- Duties of county  
sioners of the county of Forest to issue and pay over to John commissioners.  
D. Hunt, road commissioner of said county, annually during the term of said road commissioner's office, road orders for one-half of the unseated road tax assessed in each of the townships in said county of Forest: *Provided,* That the said half of the Proviso.  
unseated road tax shall not be construed as an additional tax, to be a part of the taxes now authorized by law for road purposes.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

**APPROVED**—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 20.

## SUPPLEMENT

To an act to authorize the county of Dauphin to borrow money.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That



Borrow money.

for the purpose of completing her new court house, in the city of Harrisburg, it shall be lawful for the commissioners of Dauphin county to borrow an additional sum of money on the credit of the county, not exceeding twenty thousand dollars, at a rate of interest not exceeding six per centum per annum, and to give to the lenders thereof transferable bonds therefor, in sums not less than one hundred, nor more than one thousand dollars, payable in five years from the first day of April next, with coupons attached thereto for the payment of the interest which shall fall due thereon, payable to the bearer thereof half yearly on the first days of April and October, in each and every year.

Bonds.

SECTION 2. That the bonds to be issued as aforesaid, shall be signed by a majority of the county commissioners, attested by their clerk, and verified by the seal of the county; and the coupons shall be signed by the clerk of the commissioners, and made payable at the county treasury. It shall also be the duty of said commissioners to keep an account on their books of the number, date and amount of each of said bonds, and to whom payable, and every holder of a bond, by assignment, may, if he sees proper, have the same entered on said book by the clerk to the commissioners, and the said bonds, in the hands of the holders, shall at all times be clear and discharged from all taxes and assessments of every kind and nature whatever, and may be assigned, from time to time, by the holders thereof by endorsement thereon.

Repeal.

SECTION 3. That the words, "payable in thirty years from the first day of April next," in the first section of the act of assembly, approved the third day of March, Anno Domini one thousand eight hundred and sixty, entitled "An Act to authorize the county of Dauphin to borrow money," are hereby repealed, and the commissioners of Dauphin county are hereby authorized to make the bonds referred to in said section payable at any time not exceeding thirty years from the first day of April, Anno Domini one thousand eight hundred and sixty.

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 21.

A N A C T

To repeal an act relating to the selling of the repairing of the Public Roads in certain townships in Schuylkill county, so far as the same relates to the townships of Rush and Butler, in said county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county, approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty, so far as the same relates to the townships of Rush and Butler, in said county, be and the same is hereby repealed.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 22.

A N A C T

Changing the time and place for holding elections for Borough and School District Officers in the borough of Orwigsburg, in the county of Schuylkill.

WHEREAS, The courts of Schuylkill county do not hold a session prior to the election in February next; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election for borough and school district officers, heretofore held in the borough of Orwigsburg, in the county of Schuylkill, on the first Monday of May, be hereafter held on the third Friday in February, instead of the first Monday in May. Time.

SECTION 2. That the act, entitled "An Act to change the place of holding the general, borough, and township and special elec-

Place.

tions of the borough of Orwigsburg, in the county of Schuylkill," approved the first day of February, Anno Domini one thousand eight hundred and fifty-six, be and the same is hereby repealed; and the said elections shall hereafter be held at the building formerly occupied as a court house, in the said borough of Orwigsburg.

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 23.

## A SUPPLEMENT

To an act to incorporate the Mechanics' Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the par value of the capital stock of the said company be and the same is hereby reduced to the sum of twenty-five dollars per share.*

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN,

No. 24.

## A N A C T

Extending the limits of the borough of Johnstown, providing for the collection of Taxes therein, and for other purposes.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the boundaries of the borough of Johnstown, in the county of Cambria, shall be as follows: Beginning at a white walnut tree on the southern bank of Stony creek, and near the township road leading to Mill Creek furnace; thence south fifteen degrees east one hundred and twelve and five-tenth perches to a sugar tree, on the land owned by the heirs of John Dibert, deceased; thence south forty-nine degrees east one hundred and ten perches to a post on the bank of Stony creek, on lands late of Jacob Benshoof; thence across Stony creek south seven degrees east thirty-six perches to a white oak tree, on land owned by Jacob Harner; thence north eighty degrees east one hundred and forty perches to a post at the Bedford road (now Johnstown) and Scalp Level turnpike road; thence along the south-west side of said road north thirty-three degrees west one hundred and seventy-six perches to a post near the said Harner's barn; thence crossing said Bedford road north twenty-two and a-half degrees east thirty-eight perches to a stump; thence north twenty-one degrees west fifty-six perches to a stump at the corner of Johnstown and Conemaugh boroughs; thence north sixty degrees west along the eastern side of Main street to the middle of the feeder to the Pennsylvania canal; thence down the middle of said feeder to the canal basin; thence across the said basin by a straight line to the middle of the waste-weir of said basin; thence down the middle of the stream or channel carrying the water of said basin to the Conemaugh river, to the said river; thence down the middle of Conemaugh river to its junction with Stony creek; thence up the middle of said Stony creek to a point in said creek immediately opposite, and which would be a continuation of the north-western line of Market street; thence by a straight line to the place of beginning.

**SECTION 2.** That the said borough shall be divided into five wards, as follows: So much of the westerly part of said borough as is bounded by Main street, Franklin street and Stony creek, shall be one ward, and called the First ward; so much of said borough as is bounded by Main street, Franklin street, the Pennsylvania canal, Conemaugh river and Stony creek, shall be one ward, and be called the Second ward; so much of said borough as is bounded by Main street, the feeder, the canal basin, and the waste-weir thereof, Conemaugh river, the canal, and Franklin street, shall be one ward, and be called the Third ward; so much of said borough as is bounded by Franklin street, Main street, Conemaugh township on the east and south,

and Stony creek on the south and west, shall be one ward, and be called the Fourth ward; so much of said borough as lies south and west of Stony creek, commonly called Kernville, shall be one ward, and be called the Fifth ward.

**Place of holding elections.** SECTION 3. That each of said wards shall be separate election districts, and all general and borough elections shall be held as follows, to wit: For the First ward, at public school house number five, in said ward; for the Second ward, at the Johnstown house, at the corner of Locust and Market street, in said ward; for the Third ward, at the Foster house, in said ward; for the Fourth ward, at the Mansion house, in said ward; for the Fifth ward, at the Kernville hotel, on Morris street, in said ward.

**Returns of election.** SECTION 4. That in addition to the returns now required by law to be made, the officers of election shall make a true and correct return, certified under their hands and seals, of all the votes polled for burgess, school directors, and such other officers as may be elected by general ticket throughout the borough; and on the Saturday next succeeding the day of election aforesaid, the judge of election of each ward, or in case of his inability to act, then one of the inspectors or clerks of said election, shall meet at the usual place for the meeting of the town council, and shall then and there produce the returns so as aforesaid certified, and shall appoint some suitable person as clerk, who shall be sworn to perform the duties of his office with honesty and fidelity; and the said clerk shall, in the presence of said return judge, accurately and truly add together the number of votes which shall appear by said returns to have been given for any person or persons in respect to said offices or stations; and they shall make out a return of all the votes polled for any person or persons in respect to said offices or stations, and having certified the same, under their hands and seals, shall cause the same to be deposited with the borough clerk for safe keeping and inspection; and they shall also make out, under their hands and seals, a certificate of the election of each of the officers aforesaid, which said certificate shall be served by the clerk appointed by them on the person thus elected; and for said service, the said return judges and clerks shall each be entitled to receive one dollar, which shall be paid out of the borough treasury.

**Meeting of return judges and duties.**

**Pay.**

**Town council.**

**Election.**

**Terms.**

**Qualifications.**

SECTION 5. That the legislative power of said borough shall be vested in a town council, which shall be composed of three members from each of said wards, who shall be elected as follows: On the third Friday of February, Anno Domini one thousand eight hundred and sixty-one, the qualified electors of each of the wards aforesaid shall elect three persons to represent them in the town council, one to serve for one year, one to serve for two years, and one to serve for three years; and on the third Friday of February, in each and every year thereafter, the qualified electors of each of said wards shall elect one person to represent them in council, to serve for the term of three years. No person shall be eligible to be elected as a member of council who is not a citizen of the borough, qualified to vote for borough officers, nor unless, at the time of the election, he is a resident of the ward from whence he is elected. A majority of the

members of the council shall constitute a quorum to transact business.

SECTION 6. That on the Tuesday next succeeding their election, the councilmen elected by the respective wards aforesaid, shall assemble at the usual place for the meeting of council, and shall be severally sworn or affirmed to support the constitution of the United States and of this state, and to discharge their duties as councilmen with zeal and fidelity; and having been thus duly qualified, shall proceed to elect one of their own members as president, and one person, who need not be a member of council, as clerk.

Meeting of council.

Election of officers.

SECTION 7. The town council may declare the seat of any member vacant, who fails to appear and take upon himself the oath or affirmation aforesaid, within two months of the time of his election; and if any member of council, who has been duly elected and qualified, shall absent himself from council for three consecutive meetings thereof, or shall violate any general rule or regulation of council relative to councilmen, his seat may also be declared vacant. In case of a vacancy occurring in the office of councilman, from death, resignation, removal from office under the provisions of this section, or from any other cause, the council shall immediately order a new election to fill said vacancy, in the ward where the same occurs; and at least ten days' notice shall be given by the burgess of the time and place of holding said election, by at least ten written or printed handbills, posted in conspicuous places in said ward. The election shall be held and conducted by the judge and inspectors elected at the next preceding spring election, and they shall be paid the usual fee for their services out of the borough treasury.

Vacancies and mode of filling.

SECTION 8. At the meeting of the town council next succeeding their organization, in each year, they shall elect a citizen of the borough as high constable, who shall subscribe the usual oath or affirmation of office before some justice of the peace, and file the same with the borough clerk, together with a bond conditioned for the faithful discharge of his duties. It shall be his duty to enforce the laws, ordinances and regulations of the borough, and to act in subordination to the burgess in preserving its peace and quiet; and for his services he shall receive such fees or other compensation as may be prescribed by council. He shall be subject to removal at the pleasure of council, which may elect his successor at any time, when a vacancy occurs.

Election of high constable.

Duties of.

SECTION 9. Every ordinance which shall have passed the town council, shall be presented to the burgess. If he approves, he shall sign it; but if he shall not approve, he shall return it, with his objections, to the council, which shall proceed to re-consider it. If, after such consideration, the majority of all the members of the town council shall agree to pass the ordinance, it shall be binding and obligatory, the same as if signed by the burgess; but in such case the votes of the council shall be determined by yeas and nays, and the names of the persons voting for or against the ordinance shall be entered on the minutes. If any ordinance shall not be returned by the burgess on or before the next regular meeting of council after it shall be presented to him, it shall have the same force and validity as if signed by him; and in case of an ordinance becoming binding and obli-

Ordinances.

gatory without the signature of the burgess as aforesaid, the facts shall be certified to and signed by the president and clerk of the town council.

Mode of collect-  
ing taxes.

Rate and dupli-  
cate of.

Notice.

Abatement.

List of delin-  
quents and pro-  
ceedings against.

SECTION 10. That in lieu of the mode now provided by law for collecting the borough tax within the limits of the said borough, the same shall be done as follows: As soon after the organization of council, in each and every year, as practicable, and not later than the first day of June, the town council shall fix the rate per cent. of the tax, and cause a duplicate of the same to be made out and placed in the hands of the borough treasurer, who thereupon shall give notice, by advertisement in two papers in the borough of Johnstown, and by handbills, that the same is in his hands, and that he is ready to receive taxes. On all taxes paid on or before the first day of August, the treasurer shall allow an abatement of five per cent.; on all paid subsequent to first day of August, and prior to the first day of September, he shall receive the amount in full; and on all paid to him subsequent to the first day of September, he shall add five per cent. On the first day of October, in each year, the treasurer shall make out a list of delinquent tax-payers, with the amount due from each, with ten per cent. additional added: *Provided*, That no additional amount shall be less than ten cents; and place the same in the hands of the high constable, whose duty it shall be to receive the same, under a penalty of fifty dollars; and the said treasurer is hereby authorized to issue to said constable his warrant to collect said taxes, granting him all the powers and immunities now by law invested in the collectors of county rates and levies: *Provided*, That no further or additional notice to tax-payers shall be required than the advertisement as aforesaid: *And provided further*, That it shall be the duty of said constable to proceed immediately to collect the same, by levy, distress and arrest, in obedience to his warrant, and to make return of his warrant, and the amount collected, within sixty days from the time the same is placed in his hands; and on failure to do so, or to faithfully execute his warrant, he shall be personally responsible for the amount not collected, except such amounts as the council may have previously exonerated him from collecting; and the said amount for which he becomes responsible may be recovered from him by the borough, as other debts are by law recoverable. The said treasurer and constable shall give bond, conditioned for the faithful discharge of their respective duties, and the prompt disbursement and payment of all money belonging to the borough in their hands, according to law and the ordinances of the borough, in such amounts and with such security as council may prescribe.

Property, &c.,  
taxable for bo-  
rough purposes.

Transcript to  
burgess.

Vacancy in office  
of burgess, how  
filled.

SECTION 11. That all property, offices, professions and persons made taxable by the laws of this commonwealth for county rates and levies, shall be taxable, after the same manner, for borough purposes; and all taxes shall be based on the last preceding assessment for county purposes, a transcript whereof it shall be the duty of the county commissioners of Cambria county to furnish to the burgess of said borough, on demand.

SECTION 12. That in case of a vacancy occurring in the office of burgess, by resignation or otherwise, the town council shall elect a person, duly qualified, to fill the balance of the term; and

until said election is made, and also during the temporary absence or inability of the burgess to act, the president of council shall act as burgess.

SECTION 13. That the council shall cause accurate accounts to be kept with each ward, in which said accounts the respective wards shall be charged with all the expenditures in the ward, and credited with an equal *pro rata* proportion of the amount of tax collected in said ward. Accounts of expenditures in the wards respectively, and distribution of tax collected.

SECTION 14. That nothing in this act shall interfere with the justices of the peace now holding commissions in said borough; but the justices of the peace residing in the respective wards created and established by this act, shall be the justices of the peace for said wards until the expiration of their respective commissions; and the First ward shall elect, at their first election after the passage of this act, a justice of the peace for said ward. Justices of the peace. Expiration of commissions.

SECTION 15. That all acts and parts of acts inconsistent with the provisions of this act, so far as the same relates to the borough of Johnstown, be and the same are hereby repealed. Repeal.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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## No. 25.

### A SUPPLEMENT

To an act incorporating the Doylestown and Danborough Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the tenth section of the act of assembly incorporating said company, as exempts persons going to and returning from places of public worship from the payment of toll, be and the same is hereby repealed; and that said company shall be allowed to charge the same amount of toll on carts and wagons whose wheels shall exceed four inches, and do not exceed seven inches, as they are now authorized to charge on carts and wagons whose wheels do not exceed four inches; and that so much of



the eleventh section of said act, as is hereby altered or supplied, is hereby repealed.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 26.

## AN ACT

To lay out a State Road in Butler and Allegheny counties.

**Commissioners.** **Route.** **Duties.** **Pay of commissioners, &c.** **Proviso.**

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Irvin, Andrew Barr and James Ramsey be and the same are hereby appointed commissioners to view, lay out and mark a state road leading from the public road running from Freedom, Beaver county, to Freeport, Armstrong county, commencing at the house of Mrs. Jean Parks, in Adams township, Butler county, thence up west side of Breakneck creek to an old blacksmith shop of John Ross, in Pine township, Allegheny county.

**SECTION 2.** That it shall be the duty of said commissioners, or a majority of them, after taking an oath or affirmation before a justice of the peace to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground on the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ two chain carriers each, at a per diem allowance not exceeding one dollar and fifty cents, and one axeman, at a per diem allowance not exceeding one dollar and fifty cents; and the said commissioners, respectively, shall receive a per diem allowance not exceeding two dollars for each day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county: *Provided,* That if John Irvin perform the duties of surveyor, he shall receive an additional compensation of fifty cents per day.

SECTION 3. That it shall be the duty of said commissioners to <sup>Drafts.</sup> make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation, one copy to be deposited in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass, on or before the first day of October next; and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty-three feet, and at a grade of <sup>Grade.</sup> three degrees from a horizontal line, if practicable, and not to exceed five, and to be made and repaired as all other roads laid out by the courts are made and repaired.

SECTION 4. That the commissioners shall proceed, as soon as <sup>Vacancy, how</sup> practicable, to complete the location of said road; and if any <sup>filled.</sup> vacancy occur in their number, by death, resignation or otherwise, the same shall be supplied by the remaining commissioner or commissioners selecting suitable person or persons to constitute a board of at least three members.

SECTION 5. That it shall be the duty of the supervisors of the <sup>Duty of supervi-</sup> several townships through which the said road shall pass, upon <sup>sorts.</sup> notice given, to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 27.

## AN ACT

To incorporate the Hatboro' Monument Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William K. Goentner, John Davis, David Marple, Charles H. Hill, George Jamison, Joseph Barnsley, Hugh Morrow, Harrison Yerkes, E. Reading, W. W. H. Davis, John M. Hogeland, Robert Beans, William Roberts, and their associates, successors and assigns, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Hatboro' <sup>Corporators.</sup> Style. monument association; and by that name shall have perpetual

- succession, and be able to sue and be sued in any court of law or equity, and may have and use a common seal; and shall have power to purchase, receive by gift or otherwise, have, hold and enjoy, to them and their successors, such real estate as they may purchase, or may be given to them, for the purpose of erecting thereon a monument, in the village of Hatboro', Montgomery county, Pennsylvania, to the memory of the American soldiers who fell near that place, in conflict with the British, on the first day of May, one thousand seven hundred and seventy-eight, not exceeding in the whole ten acres; and the said corporation shall have authority to receive gifts and bequests for the purpose of erecting said monument, and ornamenting the grounds around the same, and to hold such personal estate as they may deem necessary to carry out the objects of the association.
- Object.**
- Privileges.**
- Officers.** SECTION 2. That the affairs of the said association shall be conducted by a president, vice president, five managers, treasurer and secretary, who shall be elected by a majority of the votes of the members of the corporation present and voting at the election, on the first Monday of November, in each and every year; and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held. The said president, vice president, secretary and treasurer shall fill all vacancies which may occur in their own body, out of some of the members of the association; and shall have power to take charge of the said Hatboro' monument, and to lay out and ornament the grounds of the said association around the said monument; to erect such buildings, fences or other erections thereon as they may deem necessary; to appoint all necessary officers other than the above, and fix their several duties and compensation; and to make such by-laws, rules and regulations as they may deem proper for conducting the affairs of the corporation, and controlling its property.
- Election, when held.**
- Mode of filling vacancies.**
- Duties of officers.**
- Qualification of members.** SECTION 3. Any person contributing one dollar to the funds for the purposes of this association, shall be a member thereof, and shall continue a member thereof upon payment of such yearly sum, not exceeding one dollar, as may be prescribed by the association; and any person contributing five dollars, as aforesaid, shall be a life member of this association.
- Certain act of assembly extended to.** SECTION 4. That the provisions of the act of assembly of seventh of May, one thousand eight hundred and fifty-five, relating to punishment for violating grave-yards, or for wilfully injuring the same, be and the same are hereby extended to the property of this association, in the same manner as though fully recited therein.
- First election.** SECTION 5. The first election for officers of this association shall be held at such time as the majority of the members present at any meeting shall determine, but each subsequent election shall be held as heretofore prescribed.
- Exempt from taxation.** SECTION 6. That the property of this association shall be exempt from taxation for state, county and municipal purposes, and also from levy and sale for any debt of the said association; nor shall the real estate of the said association be sold by the
- From levy and sale for debt, &c.**

said association itself, but it shall be and remain for the use of the Hatboro' monument forever.

SECTION 7. This act shall not be subject to the payment of an enrolment tax, or any other tax to the commonwealth. Not subject to enrolment tax.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 28.

## AN ACT

Supplementary to an act incorporating the Mahoning Railroad Company, approved the eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Robert Ratcliff, Adolph Landawer and John S. Boyer be and they are hereby appointed additional commissioners to those named in the act to which this act is a supplement, for the purpose of opening books and receiving subscriptions to the stock of said Mahoning railroad.*

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 29.

## A SUPPLEMENT

To an act to incorporate Grove Cemetery, of New Brighton, Beaver county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act incorporating Grove cemetery, of New Brighton, Beaver county, approved the nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine, be and is hereby so amended as to exempt said cemetery from taxation.

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 30.

## AN ACT

Relative to the Scott Legion Corps of the city of Philadelphia.

Preamble.

WHEREAS, The Scott Legion Corps of Philadelphia city, a company composed wholly of gallant soldiers who served their country in the late war with Mexico, principally in the First and Second Pennsylvania regiments, which is organized and kept up solely for the purpose of paying military honors at the funerals of their deceased comrades, and not for the purpose of parading, do desire a more efficient organization than their present one, and also to be attached to the first brigade, first division, Pennsylvania militia; therefore,

Inspection.

Election of officers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the brigade inspector of the first brigade, first division, Pennsylvania militia, shall inspect their present uniform, and hold an election for officers in the company known as the Scott Legion Corps of the city of Philadelphia, on any day within one

month after he shall have been notified by the commanding officer of said company of their readiness to be so inspected; and the said brigade inspector shall attach said company to the first brigade, first division, Pennsylvania militia.

SECTION 2. That said company shall be exempt from all regimental parades, drills and reviews, except in case of riot, invasion or insurrection. The officers of said company to hold their commissions for the same period as the officers of other military companies. Exemption from parades, &c.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

### No. 31.

### AN ACT

To change the time of holding Borough Elections in the borough of Port Clinton, Schuylkill county.

WHEREAS, The courts of Schuylkill county do not hold a session prior to the election in February next; therefore, Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election for borough and school district officers, heretofore held in the borough of Port Clinton, in the county of Schuylkill, on the second Saturday of May, be hereafter held on the third Friday in February, instead of the second Saturday of May. Change of time.

SECTION 2. That all acts or parts of acts, inconsistent herewith, be and the same are hereby repealed. Repeal.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 32.

## A FURTHER SUPPLEMENT

To an act to incorporate the Clinton County Coal Company, approved April eighteenth, one thousand eight hundred and fifty-three, and changed to the name of the Eagleton Coal Company, by act of March twenty-fourth, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the "Eagleton coal company," for the purpose of extending their railroad from its present terminus to connect with the Sunbury and Erie railroad, as authorized by act of March twenty-third, one thousand eight hundred and sixty, and for purchasing rolling stock, preparing their property for mining, and for other purposes connected with the business of mining and transporting coal, be and they are hereby authorized to borrow any sum or sums of money, not exceeding one hundred thousand dollars, and to issue bonds therefor in amounts not less than fifty dollars each, with or without coupons, to be made payable at any period not exceeding ten years, and bearing any rate of interest not exceeding seven per cent., and to sell and dispose of said bonds on such terms as may be agreed upon between the parties; and for securing payment of the said bonds, are hereby authorized to execute a mortgage of all or any part of their real and personal estate and franchises, under the seal of the corporation, to be signed by the president and treasurer of said company.

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 33.

## AN ACT

Appropriating an area of Ground in Philadelphia as an open Public Place for the Health and Enjoyment of the People, and to preserve the purity of the Schuylkill water at Fairmount.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

and Stony creek on the south and west, shall be one ward, and be called the Fourth ward; so much of said borough as lies south and west of Stony creek, commonly called Kernville, shall be one ward, and be called the Fifth ward.

**Place of holding elections.** SECTION 3. That each of said wards shall be separate election districts, and all general and borough elections shall be held as follows, to wit: For the First ward, at public school house number five, in said ward; for the Second ward, at the Johnstown house, at the corner of Locust and Market street, in said ward; for the Third ward, at the Foster house, in said ward; for the Fourth ward, at the Mansion house, in said ward; for the Fifth ward, at the Kernville hotel, on Morris street, in said ward.

**Returns of election.** SECTION 4. That in addition to the returns now required by law to be made, the officers of election shall make a true and correct return, certified under their hands and seals, of all the votes polled for burgess, school directors, and such other officers as may be elected by general ticket throughout the borough; and on the Saturday next succeeding the day of election aforesaid, the judge of election of each ward, or in case of his inability to act, then one of the inspectors or clerks of said election, shall meet at the usual place for the meeting of the town council, and shall then and there produce the returns so as aforesaid certified, and shall appoint some suitable person as clerk, who shall be sworn to perform the duties of his office with honesty and fidelity; and the said clerk shall, in the presence of said return judge, accurately and truly add together the number of votes which shall appear by said returns to have been given for any person or persons in respect to said offices or stations; and they shall make out a return of all the votes polled for any person or persons in respect to said offices or stations, and having certified the same, under their hands and seals, shall cause the same to be deposited with the borough clerk for safe keeping and inspection; and they shall also make out, under their hands and seals, a certificate of the election of each of the officers aforesaid, which said certificate shall be served by the clerk appointed by them on the person thus elected; and for said service, the said return judges and clerks shall each be entitled to receive one dollar, which shall be paid out of the borough treasury.

**Meeting of return judges and duties.**

**Pay.**

**Town council.** SECTION 5. That the legislative power of said borough shall be vested in a town council, which shall be composed of three members from each of said wards, who shall be elected as follows: On the third Friday of February, Anno Domini one thousand eight hundred and sixty-one, the qualified electors of each of the wards aforesaid shall elect three persons to represent them in the town council, one to serve for one year, one to serve for two years, and one to serve for three years; and on the third Friday of February, in each and every year thereafter, the qualified electors of each of said wards shall elect one person to represent them in council, to serve for the term of three years.

**Election.**

**Terms.**

**Qualifications.** No person shall be eligible to be elected as a member of council who is not a citizen of the borough, qualified to vote for borough officers, nor unless, at the time of the election, he is a resident of the ward from whence he is elected. A majority of the



No. 34.

## AN ACT

Authorizing the Commissioners of Cameron county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the commissioners of Cameron county to borrow any sum of money, not exceeding five thousand dollars, and to issue bonds therefor, in sums not exceeding one hundred dollars each, bearing an interest of seven per cent. per annum: *Provided,* That such sum of money, so borrowed, shall be appropriated to meet the expenses incurred in erecting the public buildings in said county, and for surveying the boundary lines of said county.

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 35.

## AN ACT

To change the place of holding Elections in Moon township, Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of July next, all general, special and township elections held in the township of Moon, in the county of Beaver, shall be held at the house now occupied by Amariah Hendrickson, in said township; and all laws inconsistent with the provisions of this act, be and the same are hereby repealed.

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 36.

## AN ACT

To exempt the property of the Western and Spring Garden Soup Societies from taxation.

WHEREAS, The funds of the Western and Spring Garden soup societies are applicable to the purchase of food, fuel and other necessities of life, for gratuitous distribution among the poor of the city of Philadelphia; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That property which may be held by the said Western and Spring Garden soup societies, be and the same is hereby exempted from taxation: *Provided,* That this act shall not be so construed as to apply to any other property but that in which the business of the said societies is actually carried on or transacted, or to exempt said property from taxation for a longer time than it shall be used for such purposes.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 37.

## AN ACT

Relating to the Sheriff in Monroe county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the present sheriff of Monroe county shall, by reason of sickness or other bodily infirmity, be unable to appear in court at the time appointed by the court for the acknowledgment of sheriff's deeds, such deeds having been duly executed by said sheriff in the presence of two subscribing witnesses

## LAWS OF PENNSYLVANIA,

thereto, may be acknowledged in open court by the deputy of said sheriff; the court before which said acknowledgment is offered to be made, being satisfied of the inability of the sheriff to be present and acknowledge the same.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 38.

## A N A C T

Authorizing the County Commissioners of Monroe county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of the county of Monroe are hereby authorized and empowered to borrow any sum or sums of money, (not exceeding in the whole ten thousand dollars,) at a rate of interest not exceeding six per cent. per annum, in the name and upon the faith, credit and responsibility of the said county; to issue certificates of such loans to the holders thereof, in sums not less than one hundred dollars each; and to make such provisions, out of the taxes of the said county, from time to time, as may be necessary, to pay the interest upon such loan or loans, and to redeem the principal, at such time and in such manner as may be conformable to the terms upon which the same may be taken; said money to be appropriated at once to the payment of the debts of said county.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 39.

## A N A C T

To incorporate the Sinking Spring Cemetery Company, of Sinking Springs, Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Gring, Isaac Huett, Reuben Gaul, John Vanreed, Michael Goodman, Adam Dechert, Jacob Huett, Daniel B. Lorah and Aaron Mull, with such other persons as may become associated with them, be and they are hereby made a body politic and corporate in law, under the name and style of the Sinking Spring cemetery company; and by that name shall be able and capable in law to have and use a common seal, to sue and be sued, to plead and be impleaded, and to do all such other things as are incident to a corporation. Corporators.  
Style.

SECTION 2. That the affairs of the said company shall be conducted by a board of five managers, who shall be chosen annually, on the third Saturday in December, by the lot-holders of said company, one of which shall be designated as president, one as secretary, and one as treasurer, who shall make report of their proceedings, and a statement of the affairs of the company, to the annual meeting of the company, to be held on the day above named. Managers, election of.

SECTION 3. That until other officers are elected, as aforesaid, the corporators above named shall select from amongst their number the officers aforesaid, who shall be held to be managers of said corporation, and shall have power and authority to purchase, have, hold and enjoy, to them and their successors, any real estate which they may purchase in the vicinity of Sinking Springs, in the county of Berks, for the purpose of establishing said cemetery. Power to purchase real estate.

SECTION 4. That the board of managers shall be authorized to enact such by-laws as may be necessary for the proper government of the company, and make all necessary rules and regulations to be observed by the lot-holders and visitors to the cemetery: *Provided,* That such by-laws and regulations be not inconsistent with the constitution of this commonwealth. By-laws.  
Proviso.

SECTION 5. That the said managers shall have power to lay out, divide, arrange and ornament the cemetery grounds into suitable burial lots, and to do all things proper and necessary to be done to adapt said ground for the purposes of a cemetery; and to sell said burial lots, in fee simple or otherwise, for the purposes of sepulture, to individuals or families, without distinction or regard to sect, under such conditions, rules and regulations as the said company may establish for the government of lot-holders and the burial of the dead. Duties and privileges of managers.

SECTION 6. That the said company shall be authorized to receive gifts or bequests for the purpose of enlarging, improving and ornamenting said cemetery, and to hold personal property, Gifts or bequests.

Proceeds arising from sale of lots. such as may be deemed necessary to carry out the object of this act. The proceeds arising from the sale of lots shall be held and enjoyed for the use of said cemetery, in any way the lot-holders may determine.

Purpose for which lots are to be held.

SECTION 7. That no lots in said cemetery shall be used by the holder thereof for any other purpose than the burial of the dead; and no holder shall be allowed to sell or transfer his or her lot to any person or persons, without the consent of the board of managers; and said lots shall be exempt from attachment, levy or sale, by virtue of any execution or other process.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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#### No. 40.

#### AN ACT

To revive certain acts of Assembly relative to the Diligent Fire Engine Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the second section of the act of assembly, approved the twenty-second day of April, A. D. one thousand eight hundred and fifty-six, entitled "An Act to repeal certain acts of assembly upon non-payment of the enrolment tax," shall not be held or taken to apply to the act to extend the charter of the Diligent engine company of Philadelphia, approved the fourteenth day of April, A. D. one thousand eight hundred and fifty-seven; but that said act of incorporation is hereby re-enacted, and shall be and remain in full force and effect as originally enacted, anything in the above recited act to the contrary notwithstanding: Provided, That said company shall pay into the state treasury, within six months after the passage of this act, an enrolment tax of ten dollars.*

E. W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 41.

## AN ACT

To incorporate the American Sub-Marine and Salvage Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Brutus De Villeroi, Charles Baker, T. N. Davis, and such other **Corporators.** persons as shall be associated with them, be and they are hereby created a body politic and corporate, by the name, style and title of the American sub-marine and salvage company, with a capi- **Style.** tal not exceeding two hundred and fifty thousand dollars, with **Capital.** power to increase the same to not exceeding one million of dollars, whenever a majority of the stockholders shall so determine; which capital shall be divided into shares of one hundred dollars each.

**SECTION 2.** That the affairs of said company shall be managed **Officers.** by a board of five directors, one of whom shall be elected by the stockholders president. The first election shall be held **Election.** within one month after the passage of this act, of which election public notice shall be given at least one week in one newspaper in the city of Philadelphia; and subsequent elections shall be held at such times and place as the directors shall determine, of which elections the same notice shall be given. All elections shall be by ballot, and every share of stock shall entitle the holder thereof to one vote.

**SECTION 3.** That this corporation shall have authority to hold **Powers.** and use a common seal, and to change, alter or amend the same at pleasure; and by the style and title aforesaid shall be capable to sue and be sued; and the directors thereof may make all needful rules, regulations and by-laws, and alter and amend the **By-laws.** same, and elect such officers and agents as may by them be deemed necessary: *Provided,* That no by-laws or regulations **Proviso.** shall in any way conflict with the laws and constitution of this commonwealth, or of the United States.

**SECTION 4.** That the object of such corporation is, and the **Objects.** business shall be confined to; and capital thereof shall be employed in, the raising and removing of sunken, and the recovery of lost or wrecked vessels and marine craft of every description, and their contents, and for the purchase of vessels, machinery and whatever else may be necessary for the proper prosecution of the business of the company; and for that purpose, **Privileges.** and all other purposes pertaining to the business of this corporation, it may lease or sell rights, contract with any party or parties, government or governments, on such terms and conditions as may be agreed on: *Provided,* That no contract shall be **Limitation.** made or entered into by said company with any governments or power with which the government of the United States is or may be at war.

- Stock.** SECTION 5. That the stock may be transferred agreeably to the by-laws which may be adopted by the directors.
- Dividends.** SECTION 6. That dividends may be declared and paid at such period as the directors may order; but such dividends shall in no case exceed the amount of actual profits acquired by the said corporation. If the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation, in their individual capacity, for the excess so divided and paid.
- Liability of directors.** SECTION 7. That subscriptions to the stock may be paid in cash or personal estate; and if in personal estate, at a valuation to be agreed upon by a majority in interest of the stockholders.
- Subscriptions.** SECTION 8. That all transfers of stock in said company shall be entered on the stock books thereof; and the said company shall keep an office for the transaction of its business in the city of Philadelphia.
- Transfers of stock.** SECTION 9. That the said corporation shall pay a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payments to be made in one year from the date hereof, and shall pay such tax upon dividends as is or may be provided by law.
- Bonus.** SECTION 10. That this act of incorporation shall expire at the end of twenty years, unless renewed or extended by the legislature; and the legislature hereby reserves the right to alter, amend or annul this charter at any time; in such manner, however, as to do no injustice to the corporators.
- Tax.**
- Expiration.**
- Reservation.**

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 42.

## AN ACT

To change the place of holding Elections in Sadsbury township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter all general, special and township elections in the township of Sadsbury, county of Chester, shall be held at the public*

house now occupied by Absalom Barben, in the village of Parkesburg, in said township.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 43.

AN ACT

To authorize the Trustees of the Second Baptist Church and Congregation, in the city of Philadelphia, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Second Baptist church and congregation of the city of Philadelphia, be and they are hereby authorized to borrow money, not exceeding in amount the sum of six thousand dollars, at a rate of interest not exceeding six per centum per annum, and to secure the same by a mortgage or mortgages, to be executed by the president, and attested by the secretary of said board of trustees, and under the corporate seal of the same, upon a certain lot of ground, and church edifice thereon erected, situate in the city of Philadelphia. May borrow money.

SECTION 2. That the mortgage given by the said trustees, on the property of the said church and congregation, to Lewis D. Beck, to secure to him the payment of twenty-five hundred dollars, as expressed in the said mortgage, dated twenty-sixth day of May, Anno Domini one thousand eight hundred and sixty, and recorded in the office for recording of deeds in Philadelphia, in mortgage book A D B, vo. fifty-seven, page four hundred and thirty-six, shall be valid and as binding upon said property as though the said trustees had been specially authorized to execute the same by act of assembly. Mortgage.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



## No. 44.

## AN ACT

To authorize the Trustees of the Society of Friends, in Richland township, Bucks county, to sell certain Real Estate.

WHEREAS, The religious Society of Friends at Richland, now included in the limits of the borough of Quakertown, in the county of Bucks, are desirous of selling a part of the real estate held in trust for their use, and re-building their meeting-house at that place, and the trustees who hold the title for the same have no authority to sell and release the estate from the operations of the said trust; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Aaron Penrose, Stephen Foulke, William Shaw and John Ball, trustees of the real estate of the religious Society of Friends aforesaid, and the survivors and survivor of them, be and they are hereby authorized and empowered to grant, bargain and sell a certain portion of the real estate aforesaid, situate on the west side of Main street, in the borough of Quakertown, containing in front or breadth on said Main street sixteen perches, measuring southwardly from the corner of late Aaron Ball's land, and extending westward of that width, between parallel lines, the distance of forty perches, more or less, to the line of Samuel Carey's land; bounded northward by land late of said Aaron Ball, John Ball and Samuel Carey, southward by other land of said religious society, held in trust as aforesaid, westward by lands of said Samuel Carey, and eastward by the middle of said Main street aforesaid, and containing within said limits four acres, more or less; and to convey the same, in lots or otherwise, upon such terms and conditions as they may think proper, to the purchaser or purchasers thereof, in fee simple, released and forever discharged of all and every the trusts, estates, limitations and conditions expressed or contained in any declaration of trust, or other legal conveyance or assurance relating thereto, so that the said purchaser or purchasers thereof shall take the premises, so conveyed to them, without any liability on their part to see to the application of the purchase money; and such conveyance shall vest an indefeasible title to the premises so conveyed to the purchaser or purchasers thereof; and the said trustees shall apply the proceeds arising from the sale of the same, as the monthly meeting of the religious Society of Friends aforesaid shall authorize and direct.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 45.

## AN ACT

Authorizing the qualified voters of the township of Allegheny, in the county of Armstrong, and Centre township, in the county of Greene, to elect two additional Supervisors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the qualified voters of the township of Allegheny, in the county of Armstrong, and of Centre township, in the county of Greene, annually to elect four supervisors of roads and highways for said township, at the same time and place now fixed by law for the election of township officers.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 46.

## AN ACT

Authorizing the Directors of the Poor and of the House of Employment for the county of Delaware, to sell certain Real Estate to the School Directors of the township of Middletown, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the directors of the poor and of the house of employment for the county of Delaware, be and they are hereby authorized and empowered to grant, bargain, sell and convey to the school directors of the township of Middletown, in the said county, in fee simple, for the use of the public schools of the said school district, that part of the farm lands attached to the said house of employment, bounded and described as follows: Beginning at a point in the middle of the Middletown road, at a corner of other lands of the said directors of the poor and of the house of employment; thence by the same lands south thirty-eight and a quarter degrees west fifteen perches and fifteen-hundredths to a stake, and south forty-three and a half degrees east eight*

## LAWS OF PENNSYLVANIA,

perches to a stake ; thence by lands of Walker Y. Hoopes north thirty-eight and a quarter degrees east fifteen perches and fifteen-hundredths to a point in the middle of the aforesaid road ; thence along the same north forty-three and a half degrees west eight perches to the place of beginning, containing three quarters of an acre of land.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 47.

## A N A C T

To authorize the Select and Common Councils of Philadelphia to culvert Cohocksink creek, in the Sixteenth ward, Philadelphia.

WHEREAS, By an act of assembly, passed February twenty-seventh, one thousand seven hundred and ninety-seven, Cohocksink creek, in the then township of the Northern Liberties, and county of Philadelphia, from the mouth thereof to the bridge on the road leading to Frankford, was declared a public highway, forty feet in width, for the passage of all kinds of vessels and rafts which can float therein ; and by an act passed April sixteenth, one thousand eight hundred and twenty-nine, the said creek, of the width aforesaid, from the said bridge up to Sixth street, was also declared a public highway, and authority given to the municipal commissioners to erect a culvert along the same :

*And whereas,* Upon the survey and plan of the said township of the Northern Liberties, made in pursuance of an act of assembly, passed April seventeenth, one thousand seven hundred and ninety-five, duly confirmed and recorded according to law, a canal was laid out along the several courses of the said creek, from the mouth thereof to Front street, and the canal constructed in conformity with said plan ; and divers attempts have been made, as well at the expense of the owners of adjacent lots as by the public, to keep the canal in such order as to answer the end originally intended, but it has been found by experience that the expense of cleaning the same, and keeping it in such order, is vastly greater than all the public and private benefits resulting from the landings thereon ; and by reason of the filth and rubbish which are carried by the rains into the said canal, the same is nearly filled up, and has become a grievous nuisance,

dangerous to the health of the inhabitants, and requires a speedy remedy :

*And whereas*, By the act of March sixteenth, one thousand eight hundred and nineteen, incorporating the district of the Northern Liberties, it was declared that no law, ordinance or regulation shall ever be made to annul or alter the lines of any street, lane, alley or road, or the courses and degrees of descent, or the distances from the lines of such streets, lanes, alleys or roads, or of the gutters, water courses and common sewers within the said district, as the same has been surveyed, regulated and fixed by the said act of April seventeenth, one thousand seven hundred and ninety-five ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the select and common councils of the city of Philadelphia be and they are hereby authorized to cause a re-survey to be made of those parts of the late district of the Northern Liberties and Kensington, lying contiguous to Cohecksink creek east of Front street, and lay out so many new streets, and extend such of the streets already established within the same, as in their judgment will be necessary to accommodate the inhabitants with convenient ways and passages, laying the same out, or as near to right angles with each other as the nature of the place and a reasonable conformity to the streets already established will admit, and to establish and fix the grade of the streets so laid out or extended, and if need require, to revise and change the grade of the streets already established, and connecting with such new streets ; and the said streets so laid out or extended, the plan thereof being first approved by the said councils, shall be recorded, and the streets opened in the manner now provided by law in the city of Philadelphia ; and the said councils shall continue the culvert intended to drain Cohocksink creek, by the shortest practicable course, from Front street, along the said creek or canal, and any of the streets hereby authorized to be laid out or already established, into the river Delaware ; and upon the completion of the said culvert, and opening the streets so laid out or extended, the said councils are further authorized to fill up the said creek or canal to the proper grade, and declare vacated such parts of it west of Delaware avenue as may not be occupied by the said culvert, or made a part of any of the streets so laid out, in such manner and at such times as they may deem expedient : *Provided*, That if the said councils decide to construct said culvert on Laurel street, the owners of property on said street shall be exempt from the usual charges for culverts, under the acts of assembly ; and that so much of any existing law or act of assembly as may conflict with the provisions of this act, be and is hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 48.

## A N A C T

To authorize the Commissioners of Wyoming county to borrow money.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Wyoming county be and are hereby authorized and empowered to borrow, upon the credit of the said county, for the purpose of erecting a new county jail and sheriff's house, and also to purchase a lot of land on which to erect the same, any sum of money not exceeding six thousand dollars, payable in six years, at any rate of interest not exceeding six per cent. per annum; and for this purpose to execute bonds, penal or single, in the name and on behalf of the county, under its corporate seal, and the hands of the commissioners, or a majority of them: *Provided,* That no bond shall be issued, as aforesaid, of a less denomination than one hundred dollars, and that said money shall be exempt from taxation: *And provided further,* That if any of the money authorized to be borrowed under the provisions of this act, be placed in the treasury of the county, the county treasurer shall not be allowed for his services as to the same a sum exceeding one per cent., to be rated upon the amount placed therein.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 49.

## A N A C T

To extend the provisions of an act relating to the selling of the repairing of the Public Roads in certain townships in Schuylkill county, to the township of Washington, in said county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the provisions of an act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county, approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty, be and the same are hereby extended to the township of Washington, in said county of Schuylkill: *Provided*, That in making the contracts for the making or repairing of the public roads in said township, the supervisor shall not include more than one mile of road in each contract.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 50.

### AN ACT

To create a new Ward in the borough of Pottsville, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, all that part of the South ward of the borough of Pottsville aforesaid, lying east of Centre street and south of Norwegian street, be and is hereby erected into a new ward, to be called South-East ward; and that the qualified electors thereof shall hold their elections at the American House, in said new ward; and that James A. Inness, Esq., shall be the judge, and John Leonard and Henry Gressang, the inspectors, to hold the first election after the passage of this act; and said inspectors shall appoint a clerk for said elections, as is provided for by existing laws: *Provided*, That the said above named election officers shall hold their offices until the next election for election officers in said borough after the passage of this act.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 51.

## AN ACT

Relative to claim of John Kelly.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general, attorney general and state treasurer be and they are hereby authorized and requested to examine the claim of John Kelly, of Lawrence county, for labor done and material furnished for the Erie Extension canal, (section number sixty-one,) during the years one thousand eight hundred and thirty-eight, thirty-nine and forty; and after such examination, shall report the amount they find to be due said John Kelly to the Legislature, during the present or the next session thereof.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 52.

## A SUPPLEMENT

To an act laying a tax on Dogs in the borough of West Chester, and certain townships in the county of Chester, and for other purposes, approved fourteenth April, one thousand eight hundred and forty-six.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the first section of the act aforesaid shall hereafter be deemed, taken and held to apply to all persons owning or farming lands in the several townships in said act mentioned, on which sheep may be killed, although the said owners or farmers may not reside in said townships, so that the sheep so killed shall be appraised and paid for in the same manner as is provided by said*

act for appraising and paying for sheep killed belonging to the inhabitants of said township.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN

No. 53.

A N A C T

For the better security of the Wages of Laborers in the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all wages that may be due from the owner or owners of any manufacturing establishment in the county of Fayette, to any laborer or laborers in or about such establishment, for any period not exceeding six months immediately preceding the death or insolvency of such owner or owners, shall be a lien upon such establishment, and shall be first paid from the proceeds of the sale of such establishment: *Provided*, That the same be presented to the officer executing the writ before distribution of the proceeds of the sale. Wages due laborers to be a lien.

SECTION 2. That in case of the dissolution, by death or otherwise, of any partnership, firm or incorporated company in the county of Fayette, all debts due or owing to operatives or laborers for service performed for such partnership, firm or incorporated company, for any period not exceeding one year, shall first be provided for and paid out of the effects or assets of said firm or company, in preference of or to any other claim: *Provided*, That this act shall not impair or affect the right of the widow or children of any decedent to retain three hundred dollars, as provided by existing laws of this commonwealth. Dissolution of partnership not to affect the preference of laborers' claims.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



## No. 54.

## AN ACT

For the incorporation of the Tidioute and Pittsfield Turnpike and Plank Road Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i>
Style.	L. L. Lowry, William B. Acocks, William T. Dalrymple, John Martin, D. R. Dalrymple, William S. Copell, Samuel Grandin and William Dale, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, under the name, style and title of the
Route.	Tidioute and Pittsfield turnpike and plank road company, with power to locate and construct a plank or turnpike road from the
Branch roads.	Sunbury and Erie railroad, at Pittsfield, in Warren county, up Andrews run; thence to the river road, in the village of Tidioute, with corresponding branch roads, within the limits of
Subject to.	Warren county, on the south side of the Big Brokenstraw creek, subject to the provisions and restrictions of an act regulating
Capital stock.	turnpike and plank road companies, approved January twenty-sixth, one thousand eight hundred and forty-nine, and the several supplements thereto.
Proviso.	SECTION 2. That the capital stock of said company shall consist of four hundred shares, of twenty-five dollars each: <i>Provided,</i> That the said company may, from time to time, by a vote of its
Subscriptions.	stockholders, at a meeting called for that purpose, increase their capital stock so much as, in their opinion, may be necessary to carry out the true intent and meaning of this act.
Shares.	SECTION 3. That all persons having subscribed and paid within six months, or who shall hereafter pay, on subscription now made, towards a road from Tidioute to Pittsfield, shall own as
Limitation.	many shares of stock in said company as will equal their respective subscriptions.
	SECTION 4. That this incorporation shall be limited to a period of twenty years' duration.

E. W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 55.

## A SUPPLEMENT

To an act to provide for the erection of a House of Employment and support of the Poor in the county of Schuylkill, passed the fourth day of April, one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of enabling the directors of the poor and of the house of employment for the county of Schuylkill to supply the said house with a better and more abundant supply of water, the said directors are hereby authorized to use the water of a brook which runs near by said house, and for that purpose shall have the right and privilege to enter upon any land or lands, and lay pipes through the same to convey the said water to the said house: *Provided,* That the said board of directors, or their successors in office, shall pay to the owner or owners of said land or lands through which said pipes may be laid, all damages which may accrue to said owner or owners in consequence thereof; which said damages, if they cannot be amicably arranged, shall be assessed by a jury of three persons, appointed by the court of quarter sessions of Schuylkill county, on the petition of said directors or said owner or owners; and their report and proceedings thereon shall be the same as in the case of damages for opening roads in said county.

Directors of the poor authorized to use the water of a certain brook

Right to enter upon land, lay pipes, &c.

Proviso.

SECTION 2. That so much of the act, entitled "A supplement to an act to provide for the erection of a house for the employment and support of the poor in the county of Schuylkill, passed the fourth day of April, one thousand eight hundred and thirty-one," approved the third day of February, Anno Domini one thousand eight hundred and fifty-nine, as requires the concurrence of the judges of the court of quarter sessions of said county in the appointment and fixing the salaries of the officers, out-door physicians, matrons and assistants of said house, and the removal of said officers, or any of them, be and the same is hereby repealed.

Repeal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 56.

## AN ACT

To lay out a State Road in Clarion and Venango counties.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Commissioners.** R. A. Brashear, Elias Widel and Daniel Staunton be and are hereby appointed commissioners to view and lay out and mark

**Route.** a state road, leading from the mouth of the Clarion river, in Clarion county, to the borough of Franklin, in Venango county, by way of Freedom.

**Duties.** **SECTION 2.** That it shall be the duty of said commissioners, or a majority of them, after taking an oath or affirmation before a justice of the peace to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground on the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purposes of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ two chain carriers, at a per diem allowance not exceeding one dollar and fifty cents each, and one axeman, at a per diem allowance not exceeding one dollar and fifty cents; and the said commissioners, respectively, shall receive a per diem allowance not exceeding two dollars for each day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county: *Provided,*

**Compensation.** That if R. A. Brashear performs the duties of surveyor, he shall receive an additional compensation of fifty cents per day.

**Proviso.**

**Drafts to be made** **SECTION 3.** That it shall be the duty of the commissioners to make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation, one copy to be deposited in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass, on or before the first day of October next; and from thenceforth the said road shall be a public highway, and shall be

**Width and grade of road.** opened to a width of thirty-three feet, and at a grade of three degrees from a horizontal line, if practicable, and not to exceed five, and to be made and repaired as all other roads laid out by the courts are made and repaired.

**Vacancies, how filled.** **SECTION 4.** That the commissioners shall proceed, as soon as practicable, to complete the location of said road; and if any vacancy occur in their number, by death or resignation, or otherwise, the same shall be supplied by the remaining commissioner

or commissioners selecting suitable person or persons to constitute a board of at least three members.

SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road may pass, upon notice given, to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 57.

## AN ACT

To repeal an act for the preservation of Fish in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That an act, entitled "An Act for the preservation of fish in the county of York," approved the second day of April, Anno Domini one thousand eight hundred and sixty, be and the same is hereby repealed.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 58.

## AN ACT

Giving a bounty on Muskrat Scalps in Centre and York counties, and Bald Eagle and Beach Creek townships, in Clinton county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, any person or persons who may kill any muskrats within the counties of Centre and York, and the townships of Bald Eagle and Beach Creek, in Clinton county, in this commonwealth, and who shall produce the scalp or scalps, having the ears thereon, before any justice of the peace in and for said county, it shall be the duty of said justice to examine such person or persons, on oath or affirmation, touching the time when and the place where such muskrats was or were taken and killed; and if the same shall be found to be within the bounds of said counties, it shall be the duty of such justice to certify the same to the commissioners of the respective counties, who shall immediately draw their warrant on the county treasurer for the sum of twelve (12) cents for each and every scalp of a muskrat so produced; and it shall be the duty of such treasurer, and he is hereby directed to pay the amount of said order.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 59.

## AN ACT

To incorporate the Chestnut Hill Academy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* there shall be and is hereby established, at Chestnut Hill, in the

county of Philadelphia, an academy or school for the education of youth of both or either of the sexes, in the English or other languages, and in arts, sciences and literature, by the name, style and title of the Chestnut Hill academy; the said academy to be under the direction, management and government of a board of five trustees, a majority of whom shall form a quorum for the transaction of business; and the said trustees, and their successors, shall be and are hereby created, established and declared to be a body politic and corporate, with perpetual succession, with all the rights and incidents of a corporation, in deed and in law, to all intents and purposes whatsoever, by the name, style and title of the Chestnut Hill academy; by which name and title the said trustees, and their successors, shall be able, in law and equity, to take to themselves and their successors, for the use of said corporation, any estate, messuages, lands, tenements, hereditaments, goods, chattels, moneys or other effects whatsoever, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons whatsoever, and the same messuages, lands, tenements, hereditaments, goods, chattels, moneys, effects and estates, real or personal, with the consent of a majority of the stockholders of said corporation present at any meeting at which a quorum of said stockholders shall be assembled, to grant, bargain, sell, convey, assure, mortgage, demise or let, or otherwise dispose of, or invest, in such manner as to them, or a quorum of them, shall seem most beneficial, and to receive the rents, issues, profits, income and interest of the same, for the use of said corporation; and by the same name to sue and be sued, prosecute and defend, implead and be impleaded in any court of law or equity, and in all manner of suits and actions whatsoever, and generally by and in the same name to do and to transact all and every business touching the affairs of said corporation, as fully and effectually as any natural person could do.

Academy established.

Name.

Trustees, powers of.

SECTION 2. That the said trustees shall cause to be made, for their use, a common seal, with such devices and inscriptions thereon as they shall think proper, and shall renew the same at pleasure; and therewith all deeds, certificates and acts of said corporation shall be authenticated.

Seal.

SECTION 3. That J. E. Mitchell, Richard Levick, William H. Trotter, Thomas Earp, Jr., and M. Russell Thayer are hereby appointed trustees of said corporation until the first day of June, Anno Domini one thousand eight hundred and sixty-one, or until a board of trustees shall be elected by the stockholders of said corporation, on the first day of June, Anno Domini one thousand eight hundred and sixty-one; and annually thereafter, on the first Monday of June, in every year, an election shall be held at such time and place, and upon such notice as shall be directed by the trustees, at which the stockholders of said academy shall elect, by ballot, by a majority of the votes present, to be given in person, or by proxy duly authorized, five trustees, who shall continue in office one year, or until others are duly chosen and qualified; the said board of trustees shall at all times have power to fill vacancies in their body; and no person shall be permitted to serve as trustee who is not a shareholder

Trustees.

Annual election.

Term of office.

Vacancies, how filled.

in said institution ; and the said trustees shall choose out of their number one person to act as president, and one person to act as secretary and treasurer, who shall serve as such until others shall be appointed in their place by the trustees : *Provided*, That no stockholder shall have more than three votes at any election, whatever number of shares he or she may be entitled to ; and that each stockholder shall be entitled to one vote for each share of stock held, not exceeding three shares.

Trustees to procure certificates of shares, receive subscriptions, &c.

SECTION 4. That the said trustees shall procure written or printed certificates of shares in said corporation, signed by the president of the board of trustees, and by the secretary, and sealed with the seal of said corporation, and shall deliver to every person who has heretofore subscribed and paid, or who may at any time hereafter subscribe and pay the sum of twenty-five dollars to the said academy, one certificate for one share in said corporation for every sum of twenty-five dollars so subscribed and paid ; which said certificate shall be transferable at pleasure, in person or by attorney, in presence of the president and secretary of said corporation ; and the assignee holding any certificate, first having caused the assignment to be entered on a book to be kept for that purpose by the trustees, shall be deemed a member of said corporation, and entitled to all the rights and privileges thereof : *Provided*, That the whole amount of stock certificates hereby authorized shall at no time exceed ten thousand dollars.

Assignment.

Proviso.

When buildings to be erected.

Furniture and apparatus.

Teachers.

Rules.

May lease real and personal estate to teacher.

Rent, how divided or appropriated.

Trustees subject to stockholders.

Meetings.

SECTION 5. That the said trustees shall, as soon as in their opinion may be expedient, erect or cause to be erected, or procure such building or buildings, and such furniture and apparatus as they may deem necessary or proper for the use of said school or academy, to be located in some convenient place at Chestnut Hill, in the county of Philadelphia. The said trustees shall have power to appoint such officers and teachers to conduct the said school or academy, and teach the youth therein, and to make such rules, ordinances and regulations for the government of said school or academy as they may deem proper ; or they may, if they deem it expedient, with the consent of the stockholders, as aforesaid, lease or hire the real and personal estate of said corporation to a competent teacher or teachers, and receive and collect rent and compensation for the use of such real estate, and the same divide rateably among the stockholders, after first deducting all necessary charges and expenses ; or they may, if they think proper, apply the said rent and compensation to the improvement of said school or academy, and the purchase of such things as may facilitate or contribute to the good education of youth therein : *Provided*, That the said trustees shall at all times be subject to the control of the stockholders of said corporation, a majority of whom shall constitute a quorum for the transaction of business. An annual meeting of the stockholders of said institution shall be held on the first Monday of June, in every year, due notice of which shall be given by the secretary of the board of trustees ; and special meetings of the stockholders may at any time be called and held, upon the requisition, in writing, of not less than five of the stockholders of said corporation ; due notice of the time and

place of such meetings being given not less than five days before the time appointed for such meetings.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 60.

## A FURTHER SUPPLEMENT

To the act to incorporate the Trenton City Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the board of directors of the Trenton City bridge company to convene a meeting of the stockholders of said company, giving the same notice thereof as is required to be given prior to the annual elections; and that said stockholders, or a majority thereof, voting according to the rule and in the ratio prescribed for the election of directors, may determine at said meeting, or at any adjourned meeting, to increase the capital stock of said company, by the creation of two thousand additional shares of stock, of twenty-five dollars each; and if they so determine, the same shall be deemed to be increased accordingly; and the said directors may, from time to time, procure subscriptions for the disposal of the additional shares so created at no less than their par value, and may receive payment therefor upon the same terms and instalments as are prescribed with regard to the original stock; and such additional shares shall be deemed to be part of the capital stock of said corporation, as fully, to all intents and purposes, as if they had been created by the original act of incorporation.*

*May create additional capital stock.*

SECTION 2. That unless the directors of said company shall, within six months hereafter, file their assent to this act in writing, and under the seal of said corporation, in the office of the secretary of commonwealth, this act shall be deemed to be void.

*Assent of directors to be filed.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 61.

## A SUPPLEMENT

To an act, approved March twenty-second, one thousand eight hundred and fifty-nine, providing for the election of supervisors in Cross Creek township, Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of March twenty-second, one thousand eight hundred and fifty-nine, providing for the election of supervisors in Cross Creek township, Washington county, be and the same are hereby extended to Canton and Hopewell townships, in said county.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 62.

## A FURTHER SUPPLEMENT

To an act, entitled "A supplement to an act, entitled 'An Act to incorporate the Wilkesbarre and Scranton Railroad Company,' approved the fifteenth day of February, one thousand eight hundred and fifty-one."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Nanticoke railroad company, in order to secure the payment of the bonds which they are authorized to issue, under the fifth section of the supplementary act to which this is an additional supplement, may mortgage, from time to time, any part or portion of their railroad, finished or unfinished, unconstructed, partially constructed, or proposed to be constructed, with its appurtenances, together with the real estate acquired or to be acquired for the purpose aforesaid, and also the rights, liberties and franchises of said company, so far as the same appertain or apply

May mortgage.

to any such portion of the road so to be mortgaged, to have the same force and effect, and to be as valid as to any such portion of road, in every respect, as if the whole of said road had been completed and finished.

SECTION 2. That should said company determine to locate and construct any branch road or roads, under the third section of the act chartering said company, by the then name of the Wilkesbarre and Scranton railroad company, referred to in the title of this act, said branch road or roads, or any portion of them, finished or unfinished, may be also mortgaged by said company, with all and every of the appurtenances, rights, liberties and franchises belonging to the same, in the same manner and to the same effect, in every respect, as authorized with regard to any portion of the principal road, as provided in the first section of this act.

Branch roads  
may also be  
mortgaged.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 63.

## AN ACT

To incorporate the Fishing Creek Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Richards, Thomas M. O'Brien, William Chamberlain, William W. Longstreth, Joseph Pancoast, Robert M. Huston, Eli K. Price, M. Edgar Richards, John Sergeant Price, M. P. Fowler, and their associates, be and they are hereby constituted a body corporate, by the name of the Fishing Creek improvement company; and by that name shall have power to take, hold, convey, mortgage and lease a body of lands on and near Fishing creek, in Schuylkill county, belonging to the said seven first named corporators, with all and singular the powers and privileges conferred, and subject to the restrictions and provisos contained in an act, entitled "An Act to incorporate the Rausch Creek company," with the exception of the next to the last proviso, passed the second day of April, one thousand eight hundred and sixty: *Provided,* That the quantity of land to be so

acquired by said corporation shall not exceed three thousand acres.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The nineteenth day\* of February, Anno Domini  
one thousand eight hundred and sixty-one.

A. G. CURTIN.

### No. 64.

### A N A C T

To authorize the erection of a Lock-up in the borough of Temperanceville, in the county of Allegheny.

**SECTION 1** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the burgess and town council of the borough of Temperanceville, in the county of Allegheny, be and are hereby authorized and empowered to erect a lock-up house in said borough, and to appropriate the same for the security and temporary detention of persons committed by justices of the peace or burgess of said borough, for any violations of the laws of this commonwealth or of the ordinances of said borough, for which such person or persons could be lawfully committed to the common jail of said county, there to be kept until such offender or offenders can be removed to the common jail of said county, if committed for an indictable offence: *Provided*, That no person shall be confined for a longer period than forty-eight hours at any one time in said lock-up house, except such person be charged with an indictable offence, and it be necessary to detain such person or persons for further examination.

Burgess and town  
council author-  
ized to erect a  
lock-up.

Purposes of.

Proviso.

Fees.

**SECTION 2.** That the legal fees for the arrest and commitment and safe keeping of any person or persons in said house, on a charge of any indictable offence, shall be taxed by the proper authority, and paid by the prosecutor or defendant, or the county of Allegheny, as the issue of the case may require and be determined.

Pay for erection.

Appointment of  
keeper.

**SECTION 3.** That the burgess and town council of the said borough, or a majority of them, may appropriate and pay for the erection of said lock-up house, and shall appoint a proper person to keep said lock-up house, and pay for such services, from time to time, whatever the said burgess or town council, or a majority of them, may deem just and proper; said sums to be

paid out of the funds of said borough : *Provided*, That the costs *Proviso*. of said lock-up house shall not exceed two hundred dollars.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 65.

## AN ACT

To authorize the Trustees of the St. Mary's Church, in the borough of Lock Haven, to sell certain Real Estate.

WHEREAS, William Fearon, junior, and Eliza G., his wife, and L. A. Mackey, and Mary H., his wife, by their deed, dated the twenty-seventh day of May, Anno Domini one thousand eight hundred and fifty-four, sold and conveyed unto John Nepomucenus Newman, Roman Catholic bishop of Philadelphia, in trust for the Catholic congregation of Lock Haven, two certain lots of ground, situate in the southern addition of the borough of Lock Haven, known on the general plan of said southern addition as lots numbers thirty-nine and forty; and H. B. Packer and wife, by their deed, dated the thirtieth day of December, Anno Domini one thousand eight hundred and fifty-two, granted and conveyed unto the said John N. Newman, in trust as aforesaid, another certain lot of ground, situate in the borough of Lock Haven, and known as lot number ninety-six:

And whereas, The said John N. Newman is now deceased, and the said congregation is desirous of selling the said lots of land to raise money to enable them to pay off a claim or church debt, and for other purposes of said congregation, and that doubts have arisen as to their authority to sell and dispose of the same, and as to the mode of conveyance thereof; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John C. Gilligan, John Winslow and James Lovett, as trustees of said congregation, are hereby authorized and empowered to bargain, grant, sell and dispose of, at public or private sale, all the above described lots of land and appurtenances, or any part thereof, and to make good and sufficient deeds of conveyance therefor to the purchaser or purchasers thereof, in fee simple;

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said deeds to be executed and signed by John C. Gilligan, John Winslow and James Lovett, or a majority of them.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 66.

## AN ACT

To extend the provisions of an act for the protection of Sheep and taxing of Dogs in the county of Blair, to the county of Crawford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act for the protection of sheep and taxing of dogs in the county of Blair, passed the twentieth day of May, in the year of our Lord one thousand eight hundred and fifty-seven, be and the same are hereby extended to the county of Crawford; and all acts and parts of acts heretofore in force in said county of Crawford, inconsistent herewith, are hereby repealed.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 67.

## A SUPPLEMENT

To an act, entitled "An Act relative to suits by Sheriffs, Prothonotaries and other officers of Westmoreland, Lycoming and Washington counties," approved May sixth, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all and singular the provisions of the act to which this is a supplement, be and the same are hereby extended to the counties of Mercer and Armstrong.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 68.

## A SUPPLEMENT

To the act incorporating the Lancaster and Ephrata Turnpike or Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the Lancaster and Ephrata turnpike or plank road company to charge and receive, for every wagon or cart passing over five miles in length of the said road, whose wheels are less than four inches in breadth, five cents for each horse drawing the same; and for every wagon or cart whose wheels are four inches, and not exceeding seven inches in breadth, three cents for each horse drawing the same; and for every wagon or cart whose wheels exceed seven inches in*

## LAWS OF PENNSYLVANIA,

breadth, two cents for each horse drawing the same, and so in proportion for any less distance.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 69.

## AN ACT

Requiring the State Treasurer to refund certain Moneys to U. R. Tracy, Superintendent of the Dauphin and Susquehanna Coal Company.

WHEREAS, The said Dauphin and Susquehanna coal company have been the owners of certain tracts of land, warrants having been issued to and in the names of John Christ, Joseph Heistler, Daniel Koon, Valentine Koon, Adam Rapp, Juliana Rapp, Catharine Rapp and Peter Sheffer; said tract being situated in Rush township, Dauphin county:

And whereas, The assessor of Cold Spring township, Lebanon county, having assessed the same tract of land in said township, Lebanon county, and state taxes having been paid both in Lebanon and Dauphin counties; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and is hereby authorized and required to pay U. R. Tracy, superintendent of the Dauphin and Susquehanna coal company, the sum of forty dollars, for state taxes twice paid by said company on the tract of land above described in preamble.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 70.

## A N A C T

For the protection of Fruit and of Fruit Trees in the county of Northumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the act of the thirtieth day of March, Anno Domini one thousand eight hundred and sixty, entitled "An Act to protect fruit, et cetera, and punish trespass in the counties of Huntingdon, Washington, Allegheny, Berks, Lancaster, Lycoming and Delaware," shall extend to and be in force in the county of Northumberland: *Provided however,* That the fine imposable by the first section of said extended act shall, within the said county of Northumberland, never be less than one dollar; and that the judgment, penalty or fine renderable against or imposable upon any offender or offenders, under the second section of said extended act, shall, within the said county of Northumberland, never be less than double nor more than four-fold the amount or value of the injury done, with costs of suit: *And provided also,* That no alderman or justice of the peace shall render judgment or impose any fine for more than one hundred dollars; and that the whole of the said judgment, penalty or fine shall always be for the exclusive use and benefit of the injured party or parties.

Certain act extended to Northumberland county.

Proviso.

Proviso.

SECTION 2. That all acts and parts of acts heretofore in force in said county are hereby repealed, so far as the same are inconsistent with and supplied by the provisions of the present act.

Repeal.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 71.

## A N A C T

To repeal an act relating to Schools in the boroughs of Washington and Canonsburg, in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the first and second sections of the act, passed the first day of April, one thousand eight hundred and fifty-seven, entitled "An Act relating to schools in the boroughs of Canonsburg and Washington, in Washington county, be and the same is hereby repealed: Provided, Nothing herein contained shall affect the collection, in pursuance of the provisions of said act, of the school taxes heretofore levied by Washington district, and yet remaining unpaid.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 72.

## A N A C T

Relating to Road Views for Damages in Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the court of quarter sessions of Northumberland county, on the petition of any individual or individuals, for the said court to appoint persons to view and assess the damages accruing to the landholder or landholders through whose land a public road is located and opened, wherever the view to locate the same was appointed at the January or April term, Anno Domini one thousand eight hundred and fifty-nine, of the said court, and where the viewers of said roads had not the question of damages submitted to them, according to the*

provisions of the act of the eighth day of March, Anno Domini one thousand eight hundred and fifty-nine, and report the same to the court at its next sitting thereafter; and if the said court approve the same, the damages shall be paid as all road damages are paid under existing laws: *Provided*, That it shall be lawful for the court to grant a re-view and assessment of the damages, if sufficient cause, in their opinion, exists for the same.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 73.

## SUPPLEMENT

To an act to authorize the Governor to incorporate the Delaware County Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That if any of the persons mentioned in the fourteenth section of the act of incorporation of the Delaware County turnpike road company, shall, in the manner therein mentioned, with the intent to avoid the payment of tolls on the said turnpike road, within the city of Philadelphia, and thereby defraud the said company, pass along any street, lane or alley of said city, the person or persons so offending shall be subject to a penalty of five dollars, to be recovered in the manner mentioned in the said section: Provided, That this act shall only apply to persons who leave or come again on to said road within one-eighth of a mile of the toll-gate sought to be avoided; and that it shall rest with the company to establish the fraudulent intention of persons so leaving and returning to the road, who may be prosecuted under this act.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 74.

## A SUPPLEMENT

To an act incorporating the Steinsburg and Milford Square Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and managers of the Steinsburg and Milford Square turnpike road company are hereby authorized to borrow, on the credit of the said company, any sum of money, not exceeding one thousand dollars, at a rate of interest not exceeding five per centum per annum, to be applied for paying the debts of said company, and for purchasing ground and erecting toll-houses, &c., for the use of the company: Provided, That no bond issued by said company shall be for a less sum than one hundred dollars.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 75.

## AN ACT

Relative to the pay of the County Commissioners of Fayette county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the first day of January, A. D. one thousand eight hundred and sixty-one, the county commissioners of Fayette county shall each be entitled to receive from the county treasurer two dollars per day for every day, not exceeding one hundred days, occupied by him in the discharge of the duties of said office in any one year, and one dollar only for each day subsequently occupied by him as above, during the same year; and all laws of this commonwealth, contravening or inconsistent*

with the provisions of this act, are hereby repealed, so far as the same relates to the county of Fayette.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 76.

## A FURTHER SUPPLEMENT

To the act approved March eleventh, one thousand eight hundred and fifty-three, consolidating the Lackawanna and Western and the Cobb's Gap Railroad Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the annual meeting of the stockholders, and the election of the officers of the Delaware, Lackawanna and Western railroad company, shall take place upon the Tuesday preceding the last Friday in February of every year, instead of the Tuesday before the last Friday in January, as now by law prescribed.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 77.

## A N A C T

Authorizing the election of two additional Supervisors in Fairfield and Derry townships, Westmoreland county, and one additional Supervisor in Dublin and Cromwell townships, in Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the qualified voters of the townships of Fairfield and Derry, in the county of Westmoreland, shall, at the time and in the manner provided by law, each elect four supervisors of roads in said townships, instead of two, with the same powers, duties and responsibilities provided by existing laws; and one additional supervisor each shall be elected by the qualified voters in the townships of Dublin and Cromwell, in Huntingdon county.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 78.

## A N A C T

For the relief of William K. M'Clintock.

WHEREAS, William K. M'Clintock, of the county of Allegheny, was, on the seventh day of May, one thousand eight hundred and sixty, commissioned to be an auctioneer of the fifth class, for the city of Pittsburg, gave bond and paid into the state treasury the sum of one hundred dollars for his commission and license:

*And whereas,* The secretary of the commonwealth, on the thirtieth of June, one thousand eight hundred and sixty, notified said M'Clintock that his commission was null and void, and he was informed by the attorney general that legal proceedings would be instituted against him if he continued to sell and act

under his said commission, thus inducing him to abandon his business, at great loss and injury to him, not having acted under his said commission for a longer period than two months and twenty days:

*And whereas*, It is just and equitable that said sum of one hundred dollars should be refunded to said William K. M'Clinck; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer be required to pay and refund to said William K. M'Clinck, his agent or attorney, the sum of one hundred dollars, on the presentation to him of the receipt of the state treasurer, dated May seventh, one thousand eight hundred and sixty, for the payment of one hundred dollars auction commission, Pittsburg city, fifth class.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 79.

## AN ACT

To lay out a State Road in the counties of Berks and Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Thomas Batdorff and John B. Smith, of Berks county, and Joseph Coover, of Lebanon county, be and they are hereby appointed commissioners to view and lay out a state road from a point in a public road leading from Meyerstown, Lebanon county, to Pinegrove, Schuylkill county, at a corner on lands of Solomon Smith and George Klick; thence the nearest and best route to a point in the public road leading from Mount Etna to Freystown, in the county of Berks, on the line of lands of John Klupp and William Long. Commissioners. Route.

SECTION 2. That it shall be the duty of said commissioners, as soon as practicable, having first been duly sworn or affirmed, before a justice of the peace or other proper officer, to perform the duties enjoined upon them by this act with impartiality and fidelity, which said oath or affirmation shall be filed in his office Duties of commissioners.

by the said justice of the peace or other proper officer, carefully to view the ground and lay out the said road, having respect to the ground and shortest distance, so as best to promote the public good and do the least injury to private property; and they shall clearly and distinctly mark upon the ground the route agreed upon, so as to enable the supervisors to readily find the same.

Commissioners  
may vacate roads  
rendered useless,  
&c.

Drafts, when and  
where deposited.

Width.

Pay of commis-  
sioners.

Other expenses,  
how paid.

Vacancies, how  
filled.

Provide.

SECTION 3. That said commissioners shall have authority, by this act, to vacate any road or part of a road hereby rendered useless, and to lay out any part of said road on the bed of any road or part of a road heretofore constructed or laid out by authority of law, or established by prescription or otherwise howsoever; and they shall make a fair and accurate draft of the location of said road, noting the courses and distances, with a reference to the improvements; one copy thereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of October next, and one copy in the office of the clerk of the court of quarter sessions of each of the said counties, on or before the said first day of October; and from thenceforth the road shall be, to all intents and purposes, a public highway, and shall be opened to the width of thirty-three feet, and shall be made and repaired, in all respects, as roads laid out by order of court; and the damages sustained by the owners of land, if any, shall be assessed and paid as provided by the act of thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

SECTION 4. That the said commissioners, one of whom may be an artist, on said road, shall each be entitled to receive two dollars per day for each and every day they shall be necessarily employed in performing the duties enjoined upon them by this act, and the artist shall be entitled to receive fifty cents per day additional compensation; and the said commissioners are hereby authorized to employ two chain carriers and one axeman, at a compensation not exceeding one dollar per day; and the accounts shall be registered by the commissioners, and paid by the treasurers of said counties, in the usual manner; and if any vacancy shall occur by resignation or otherwise, the remaining commissioner or commissioners shall have power to supply such vacancy or vacancies by appointment: *Provided*, That the expense which the said counties of Berks and Lebanon will be liable to pay, by reason of the laying out and opening of the road aforesaid, shall be proportioned between them, according to the length of said road in each of said counties.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 80.

## AN ACT

Authorizing the qualified Voters of Elizabeth township, Allegheny county, and Tobyhanna township, Monroe county, to elect one additional Supervisor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the qualified voters of the township of Elizabeth, in the county of Allegheny, and the township of Tobyhanna, in Monroe county, shall, at the time and in the manner provided by law, elect three supervisors of roads in said township, instead of two, with the same powers, duties and responsibilities provided by existing laws.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 81.

## A FURTHER SUPPLEMENT

To an act to incorporate the Philadelphia and Darby Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the number of directors now required by law to be elected, the stockholders of the Philadelphia and Darby railroad company, at their next annual meeting, in January, one thousand eight hundred and sixty-two, and at every annual meeting thereafter, shall choose, by a majority of votes present, six directors, three of whom, with the president, shall constitute a quo-



## LAWS OF PENNSYLVANIA,

rum for the transaction of business : *Provided*, The stockholders, at their next annual meeting, accept the provisions of this act.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 82.

## A N A C T

Supplemental to an act to incorporate the Johnstown and Ashtola Railroad and Tram Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That an act, entitled "An Act incorporating the Johnstown and Ashtola railroad and tram road company," passed and approved the twenty-second day of March, one thousand eight hundred and fifty-nine, upon the payment by the commissioners therein named of the enrolment tax, be and the same is hereby declared to be in full force and virtue from the date of its passage, notwithstanding the non-payment of the said enrolment tax; and that all the acts done by the commissioners and the company organized under said act, are hereby declared to be valid and effectual, to all intents, as if the enrolment tax upon the said act had been duly paid within the period prescribed by law: *Provided*, That said enrolment tax shall be paid within three months from the passage of this act.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 83.

## A N A C T

Relating to the official term of the Commissioners, Prison Inspectors and Directors of the Poor of Dauphin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act designating the period for the commencement of the official term of the commissioners, prison inspectors and directors of the poor and house of employment of Lancaster county," approved the sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven, be and the same are hereby extended to the county of Dauphin.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 84.

## A N A C T

Relative to Turnpike Roads within the borough of Chambersburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the various turnpike road companies, or either of them, whose roads meet in the Diamond of the borough of Chambersburg, to wit: The Harrisburg, Carlisle and Chambersburg turnpike road company, the Chambersburg turnpike road company, and the president and managers of the Chambersburg and Bedford turnpike road company, be authorized, by a resolution of the board of managers of said companies, to abandon, surrender and relinquish to the public so much of their respective roads as lie within the limits of the borough of Chambersburg; that thereafter said*

companies shall be released and exonerated from keeping such portions of their said roads thus abandoned in repair, and shall not be allowed to receive or collect tolls upon said portions; that this act shall take effect when the board of managers of any of said companies, whose roads run to the Diamond of said borough, shall have passed resolutions releasing to said borough, and published the same in two or more papers in Chambersburg, for three weeks.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 85.

## AN ACT

Supplementary to an act, entitled "An Act to incorporate the Foster Coal and Iron Company," passed April sixteenth, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the eighth section of the act of assembly, entitled "An Act to incorporate the Foster coal and iron company," passed the sixteenth day of April, Anno Domini one thousand eight hundred and sixty, be and the same is hereby so altered and amended as that the orphans' court of the counties in which the lands set forth and described in the preamble to the said act are situated, shall and may, upon the petition or petitions of the guardian or guardians of the minor children of the said William B. Foster, junior, deceased, order and decree a sale of the coal and mineral rights referred to in the said preamble, as well as the lands; and if the corporators named in the act to which this is a supplement, shall purchase the said lands and coal and other mineral rights under the decree of the said courts, then the said courts shall authorize the said guardian or guardians to receive, in payment of such lands and coal and other mineral rights, from the purchasers thereof, certificates of stock in said corporation, as provided for in the third section of the said act: *Provided*, That the number of shares of stock received for said*

lands, coal and other mineral rights, shall not be less than eight hundred shares.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 86.

A N A C T

To vacate Ruan street, between Frankford and Paul streets, in the late borough of Frankford, Twenty-third ward, Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all that part of Ruan street, as laid down in the plan of the late borough of Frankford, now in the Twenty-third ward of the city of Philadelphia, running from Frankford or Main street to Paul, be and the same is hereby vacated; and in lieu thereof, that the proper department of the said city of Philadelphia cause to be laid out and opened, for public use, two streets on the vacant ground belonging to the said city, on each side of the present police station house and market house, allowing an eight feet footway or pavement on each side of said street.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 87.

## A N A C T

Vacating certain Lanes and Alleys of the Out-lots of the borough of Beaver, in the county of Beaver.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the following lanes and alleys, and parts of lanes and alleys, of the out-lots of the borough of Beaver, in the county of Beaver, to wit: Saw Mill lane, also those parts of Centre and Fertile alleys lying between Saw Mill lane and Cooper lane, also that part of Cooper lane lying between its intersection with Fertile alley and M<sup>c</sup>Clain's district line, be and the same are hereby vacated.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 88.

## A N A C T

Relative to the Claim of the Heirs of Samuel Rhoads, late of Blair county, deceased, and Joseph G. Barr and Michael Maxwell.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized to examine the claims of the heirs of Samuel Rhoads, late of Blair county, deceased, and Joseph G. Barr and Michael Maxwell, for wood furnished on the Allegheny Portage railroad, while the same was in possession of the state; and that the state treasurer be and he is hereby authorized and directed to pay the

amount found due the said parties, if any, out of any moneys in the treasury not otherwise appropriated.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN

No. 89.

A SUPPLEMENT

To an act to incorporate the Beaver Dam Plank Road and Turnpike Company, approved April twentieth, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Beaver Dam plank road and turnpike road company be and it is hereby authorized and empowered, in constructing or repairing its said road, to use, in lieu of plank, any pounded stone, gravel or other substance or material which the president and directors of said company may deem expedient or advisable.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 90.

AN ACT

To preserve Trout in the counties of Schuylkill and Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

**TROUT** may not be taken, caught or killed.

**Proviso.**

**Penalty.**

from and after the passage of this act, it shall not be lawful for any person or persons to take, catch or kill any trout in any of the streams or ponds of water in the counties of Schuylkill and Lancaster, by means of baskets, seines, nets or snares, or trap of any kind whatever, or by means of lime or other poisonous substances: *Provided*, That it shall be lawful for any person or persons to take, catch or kill any trout, in any of the said streams or ponds of water, by angling, between the first days of April and October, in each year, and at no other period.

**SECTION 2.** And any person or persons violating the provisions of this act, shall forfeit and pay the sum of five dollars for every offence, to be recovered before a justice of the peace, by an action of debt, in the name of the commonwealth; one-half of the said sum to be for the use of the informer, who is hereby made a competent witness in such action, and the other half for the use of the directors of the poor and house of employment for the county in which the offence shall have been committed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 91.

## AN ACT

To incorporate the Penn Gas Coal Company.

**Corporators.**

**Title.**

**Privileges.**

**May hold land.**

**Proviso.**

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert H. Gratz, John Lindsay, William Coleman, J. H. Robinson, R. E. M'Gowin, John P. Steiner and Lewis Cooper, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name, style and title of the Penn gas coal company; and that as such they may have a common seal, with power to break, alter and renew the same at pleasure; to be able to sue and be sued, to plead and be impleaded, and enjoy all the rights, privileges and franchises incident to a corporation, with power to take and hold land, in fee simple or by lease, in the county of Westmoreland: *Provided*, That the quantity of land so held by them shall at no time exceed two thousand acres; and with power to have, hold, sell

and exchange such personal property as may be useful and convenient in their business.

May hold, sell and exchange personal property.

SECTION 2. That the said company shall have the right to mine and prepare for market, coal, iron ore, fire clay and other materials of their lands; to manufacture iron, fire brick, mineral oil and other products of their minerals or lands, and to transport them to market, and sell and dispose of the same; and to lease, sell and convey their land, or any part thereof, and the minerals thereof; and to make all such improvements, machinery and fixtures and erections on said lands as they may deem necessary for their business and interests.

Business and powers of corporation.

SECTION 3. That the said company shall also have the right to lay out and construct a railroad from any portion of their land, and to connect the same with the railroad of any other company incorporated by the laws of this state, at any point they may select for such connection: *Provided*, That the length of said railroad, so to be made by them, shall not exceed seven miles; and that in the construction of the same, the said company shall have all the powers and privileges, and to be subject to all the limitations and restrictions of an act, entitled "An Act regulating lateral railroads," approved the fifth day of May, Anno Domini one thousand eight hundred and thirty-two, except so far as relates to the length of the road.

Authorized to construct a railroad.

*Provide*.

SECTION 4. That the capital stock of said company shall not be less than five thousand nor more than ten thousand shares, of fifty dollars each; and they may create, issue and increase the same, within the said limits, from time to time, and in such manner as the by-laws and ordinances, duly adopted at any general or special meeting of the stockholders of said company, may provide.

Capital stock.

May increase the same.

SECTION 5. That the affairs of said company shall be conducted by a board of managers, to consist of at least three and not more than five stockholders, who shall elect one of their number president, and appoint such other officers as the interests and business of the company may require, and fix their compensation.

Managers and officers.

SECTION 6. That said company shall have power to make and establish all such ordinances, rules, regulations and by-laws as they may deem necessary for managing and conducting their business and interests, providing for the elections and meetings of the company and of the board of managers, defining the duties of the president and other officers, with the right at any time to repeal, alter and amend the same, as they may deem expedient: *Provided*, That the same shall not conflict with the constitution and laws of this commonwealth.

By-laws.

*Provide*.

SECTION 7. That the said company shall pay a tax into the treasury of the commonwealth of one-half of one per centum on the amount of the capital stock thereof, in four annual instalments, the first payment of which shall be made within one year from the passage of this act, on the amount of the capital stock as first established; and when any increase of the capital stock is made, the said company shall pay the said tax of one-half of one per cent. thereon, within one year from the time such additional capital stock is created; and the said company shall also pay such taxes upon dividends as are or may hereafter

Tax to state.

Increase of capital stock.

Tax upon dividends.



**Limitation.** be provided by any general law taxing dividends of like corporations; and this act shall continue in force for twenty years, and no longer.

**Individual liability.** SECTION 8. That the stockholders of said company be and they are hereby declared to be individually liable for all debts due mechanics, workmen and laborers employed by, and for materials and produce furnished said company; to be sued and collected as is provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three.

**Subject to.** SECTION 9. The president and directors, with the treasurer and secretary of said company, shall, on or before the first Monday of January next succeeding the passage of this act, and on or before each succeeding first Monday of January thereafter, during the term of its corporate existence, make a certified statement of the amount of capital stock paid in; which certificate shall be signed by said president, treasurer, secretary and a majority of the directors, and verified by the oath of said president and treasurer; and they shall, within twenty days, transmit the same to the auditor general.

**Officers to certify amount of capital stock, &c.**

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 92.

## AN ACT

To ratify and confirm the title to certain Real Estate sold to the "German Evangelical Lutheran St. John's Congregation," by the German Lutheran Congregation of the borough of Reading, in the county of Berks, and for other purposes.

**Title to certain real estate ratified and confirmed.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the title to a certain lot or piece of ground, situate at the north-west corner of Sixth and Walnut streets, in the city of Reading, containing two hundred and forty feet on Sixth street, and two hundred and thirty feet on Walnut street, conveyed to Francis B. Shalter, Michael K. Boyer and E. Jonathan Deininger, in trust for the German Evangelical Lutheran St. John's congre-

gation, by the German Lutheran congregation of the borough of Reading, in the county of Berks, by deed dated December twentieth, one thousand eight hundred and sixty, be and the same is hereby ratified and confirmed, and made good and valid in the said the German Evangelical Lutheran St. John's congregation, in fee simple, for the purposes contained and mentioned in said conveyance.

SECTION 2. That the persons composing the vestry of the German Lutheran congregation of the borough of Reading, in the county of Berks, by and with the consent of a majority of the male members of said congregation, expressed at an election to be held by them, of which election due notice shall be given, are hereby authorized and empowered to sell and convey to the purchaser or purchasers, in fee simple, all that certain lot or piece of ground, known as the school house lot, situate at the south-west corner of Washington and Sixth streets, in the city of Reading, containing ninety feet on Sixth street, and two hundred and thirty feet on Washington street, and apply the money arising from such sale to the payment of the debts due by said congregation.

Vestry empowered to sell a certain lot, with consent of members.

Use of money arising from sale.

SECTION 3. That the corporate name of said German Lutheran congregation of the borough of Reading, in the county of Berks, be and the same is hereby changed, and that the same shall hereafter be the Trinity Lutheran church of the city of Reading; and that the vestry of said church may abandon and abolish the use of the German language in the religious services of said church, whenever, in their opinion, the wants and interests of said church may require it; and that said vestry may and shall have power to pass such by-laws as may be necessary for such purpose.

Change of name.

Vestry may abandon use of German language.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 93.

## AN ACT

Relating to the collection of Taxes in the county of Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Duty of county commissioners in making estimates of county expenses, to distinguish amount and purposes of levies.

hereafter it shall be lawful, and it is hereby made the duty of the county commissioners for the county of Lawrence, in making their annual estimates of the expenses of the county, to distinguish the several purposes for which taxes shall be levied, designating how much shall be levied for the public purposes of said county, such as pertains to the county offices, public buildings, road views, building bridges, jail expenses, keeping prisoners, commonwealth costs, jury fees, et cetera, and also how much shall be levied for county loans and other purposes not relating to the public purposes of the county; and said county commissioners, when making out the several duplicates for the respective collectors of taxes, shall place the taxes in two separate columns, distinguishing the estimates and levies pertaining to the public purposes as aforesaid, putting them in one column, and the estimates and levies pertaining to the obligations of the county upon contracts, in a separate column.

County treasurer to give two separate bonds.

SECTION 2. That it shall be the duty of the treasurer of said county, and he shall be required to give two separate bonds, as like bonds are now given, in such sum as the court may deem sufficient, for the two several funds levied as aforesaid; and he shall keep said funds separate and distinct, and applicable to the respective purposes for which they shall have been levied; and the said treasurer shall, upon the order made by the court, and duly certified by the prothonotary or clerk, pay out of the public fund all such matters as the court shall direct, and all payments out of the other fund shall be made upon warrants drawn by the commissioners in the usual manner.

Duties of.

Constables to give bonds.

SECTION 3. That it shall be the duty of the respective constables, or other collectors of the taxes of said county, to give two separate bonds, in such amounts as the court may deem sufficient for the respective levies placed in their hands for collection.

County commissioners authorized to negotiate for the purchase or payment of bonds issued to railroad companies.

SECTION 4. That the county commissioners of said county are hereby authorized and empowered to make arrangements, and enter into negotiations for the purchase or payment of the bonds issued by said county to railroad companies, and for the payment of which said county shall have been adjudged liable; and in all cases when they shall agree with the holder of such bonds for the cancellation of the same, and for the issue of other bonds in lieu thereof, they shall have power to issue bonds, in the name of said county, for that purpose, bearing any rate of interest not exceeding seven per centum per annum, with coupons attached; which last mentioned bonds shall be negotiable, and shall be exempt from taxation: *Provided however*, That nothing in this act contained shall be construed to interfere in any way with any defence which said county may have, either in law or equity, to the payment of said first mentioned bonds issued to railroad companies.

May issue bonds in lieu of those cancelled.

Exempt from taxation.

Proviso.

Treasurer may receive coupon bonds in payment of taxes.

SECTION 5. That it shall be lawful for the treasurer of said county to receive, in payment of the taxes pertaining and applicable to the payment of debts upon contracts made by the commissioners of said county, the coupons of said bonds, issued under and in pursuance of this act: *Provided*, That he shall receive no coupon which is not due, and the payment of which is not demandable.

Proviso.

SECTION 6. That whenever there shall be in the treasury of said county any money applicable to such purpose, the said treasurer is hereby authorized to purchase or pay such coupons attached to bonds, issued in pursuance of this act, as may be then due and presented to him for payment; and all coupons thus paid, redeemed or received in payment of taxes, shall be credited by the county auditors of said county to the said treasurer in settling his accounts, and have the like effect, in such settlement, as warrants drawn upon the treasurer by the county commissioners.

Payment or purchase of coupons by treasurer.  
To be credited by county auditors.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 94.

## A N A C T

Relating to sales of Personal Estate in Carbon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of the act of the general assembly of this commonwealth, approved the twenty-first day of April, Anno Domini eighteen hundred and forty-six, entitled "A further supplement to an act, entitled 'An Act relating to executions,' approved the sixteenth day of June, Anno Domini eighteen hundred and thirty-six," are hereby extended and made applicable to sales of personal property in Carbon county; and under the proceedings thereby directed, the sheriff or other officer of Carbon county, having any writ of execution in his hands, is authorized to amend or supply any defective, informal or omitted return of levy and sale, or either of them, of said personal estate; and he is authorized so to do at any time, either before or after his term of office shall have expired; and if, in consequence of death or other cause, the sheriff or other officer aforesaid shall be unable to amend, supply or renew any omitted, informal or defective return of levy and sale as aforesaid, then and in such case the said amendment, supply, correction or renewal shall be made by the acting sheriff, or other officer of said county, in obedience to an order to be granted by the court of said county out of which said writ may have issued; and such

amendment, supply, correction or renewal of return of levy and sale as aforesaid, shall have the same force, power and effect as if the said return had been duly and fully made and entered on any such writ at the time of proceeding on the same; and the provisions of this act shall be held to apply to all cases in said county in which an adjudication of the question connected therewith has not been heretofore made.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 95.

A FURTHER SUPPLEMENT

To an act relating to Roads and Bridges in the county of York, approved the seventeenth day of February, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in case exceptions are filed to any report of viewers or reviewers, for any of the purposes mentioned in the act to which this is supplementary, petitions for review or re-review may be presented during the first three days of the next regular term of the court of quarter sessions of said county, after the final disposition of such exceptions by the said court.

Exceptions to report of viewers or reviewers. Petitions for review or re-review, when to be presented.

SECTION 2. That no road damages shall in any case be paid out of the county treasury, until such road shall be actually opened under an order of said court.

Road damages not to be paid until road opened.

SECTION 3. That it shall be the duty of the clerk of the said court to record all reports of public or private roads, omitting all such matter contained therein as may relate to the assessment of damages; and his compensation for recording shall be the same as is allowed by law the recorder of deeds; and the costs of recording all such reports now in arrear, shall be paid out of the county treasury; and all future reports of roads shall be recorded at the expense of the parties applying for the view, review or re-review, as the case may be, and be recoverable from them by law; and the said clerk shall be entitled to demand and receive the fees therefor before placing the same of record: *Provided*, That no reports shall be recorded, as aforesaid, except such as are finally confirmed by the court, and ordered to be opened.

Recording of reports.

Compensation of clerk of court.

Future reports at expense of parties applying.

Proviso.

SECTION 4. That the commissioners of said county shall have power to file exceptions to road reports without an affidavit verifying the same, and to apply by petition for reviews or re-reviews, to assess damages in all cases when they may deem the amount assessed by the viewers or re-reviewers excessive, and the expenses of such reviews or re-reviews shall be paid out of the county treasury; and the said commissioners shall be entitled to receive, out of said treasury, six cents per mile for every mile necessarily traveled in attending views, reviews or re-reviews of roads, had under the provisions of the act to which this is a further supplement.

Commissioners may file exceptions without affidavit, and present petition

Expenses to be paid out of county treasury.

Compensation of commissioners.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 96.

## SUPPLEMENT

To the act to incorporate the Marietta and Mount Joy Turnpike Road Company, approved the second day of April, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the same is hereby altered to require the said company to commence at the borough line of Marietta, and terminate at the borough line of Mount Joy; and the said company are hereby authorized to construct a branch, leading north from the eastern end of the borough of Marietta, to intersect the main tract at the property of John G. Horner, for which purpose they are hereby authorized to use the road now in use, the length and breadth thereof, under the same provisions and restrictions as the act to which this is a supplement.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 97.

## A N A C T

Authorizing the Executor of the Will of Jacob M. Root to sell certain Real Estate.

## Preamble.

WHEREAS, Jacob M. Root, late of Chester county, Pennsylvania, deceased, by his last will and testament, dated the fifteenth day of May, Anno Domini one thousand eight hundred and fifty-four, did, among other things, direct his executor to sell his real estate within two years after his youngest child should arrive at the age of twenty-one years :

*And whereas*, It would be greatly to the advantage of all parties interested in said estate, to have the same sold before that time ; therefore,

## Executor empowered to sell real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William Root, executor of the last will and testament of Jacob M. Root, late of Chester county, deceased, or whoever may be legally appointed to succeed him as executor of said will, be and he is hereby authorized and empowered, at any time after the passage of this act, upon twenty days' notice, to sell all or any portion of the real estate mentioned in said last will and testament, at public sale, for the best price that can be obtained therefor, and to execute and deliver good and sufficient deeds of conveyance, in fee simple, to the purchasers: *Provided*, That no sale shall be so made until the said executor shall have filed his bond in the orphans' court of said county, in double the probable amount of the proceeds of such sale, with security, approved by said court, and conditioned for the faithful application of said proceeds of sale.

## Proviso.

## Proceeds of sale to be invested.

## Distribution.

SECTION 2. That the proceeds of all sales made in pursuance of this act, shall be securely invested upon real estate securities, and the principal and interest thereof paid out and distributed to the devisees and legatees named in said will, in the manner provided and directed in and by said last will and testament.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 98.

## A FURTHER SUPPLEMENT

To an act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all owners of meadow or other farming lands in the rural portion of the Twenty-fourth ward, city Philadelphia, who paid the full rate of city tax levied by the said city on real estate, in the years one thousand eight hundred and fifty-five and one thousand eight hundred and fifty-six, are hereby entitled to the amount of difference between the city and the rural rate; and upon presentation of their tax bills so paid, or by such proof of payment as may be required by and to the receiver of taxes for the city of Philadelphia, be and he is hereby authorized and directed to refund said amount of difference out of any city tax collected for this ward. Any act or acts hereby altered or supplied, or that are inconsistent herewith, be and the same are hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 99.

## AN ACT

To enable the Commissioners of Butler county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Butler county are hereby authorized to borrow any sum of money, not exceeding thirty thousand dollars, on the faith of said county, and to bind the said county for the re-payment of the same; and for the purpose, as often as money may be loaned, to execute bonds, single or penal, in the



name and on behalf of said county, under its corporate seal and the hands of the commissioners, or a majority of them, in such sums, and payable at such times, and upon such rates of interest, not exceeding seven per centum, as they may deem advisable. The said bonds shall be wholly exempt from taxation for any purpose whatever: *Provided*, That if any of the money authorized to be borrowed by this act, be placed in the treasury of the county, the treasurer shall not be allowed for his whole services a sum not exceeding one per centum, to be rated upon the amount so placed therein: *And provided also*, That no bond shall be issued for a less sum than one hundred dollars.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 100.

## AN ACT

For the Commutation of Tonnage Duties.

Preamble.

WHEREAS, By a provision of the act to incorporate the Pennsylvania railroad company, approved the thirteenth of April, eighteen hundred and forty-six, and a supplement thereto, approved the twenty-seventh of March, eighteen hundred and forty-eight, a tax or duty was imposed on all tonnage loaded or received at Harrisburg, Pittsburg and intermediate points, and carried or conveyed on the railroad of the said company more than twenty miles, which said tax was intended to compensate for any probable diminution in the receipts of the main line of the public works, (then owned by the state,) by reason of the construction and operation of the said railroad:

*And whereas*, It was provided in the third section of the act for the sale of the main line of the public works, approved the sixteenth day of May, eighteen hundred and fifty-seven, that if the Pennsylvania railroad company should become the purchasers of the said works, the said company, in addition to the sum of seven millions five hundred thousand dollars, (\$7,500,000,) the price limited by the said act, should pay the sum of one million five hundred thousand dollars, (\$1,500,000,) in five per

cent. bonds of the company ; and that thereupon the said company, and the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company should, in consideration thereof, be discharged by the commonwealth forever from the payment of all taxes upon tonnage or freight carried over said railroads, and the said the Pennsylvania railroad company should be released from the payment of all other taxes or duties on its capital stock, bonds, dividends or property :

*And whereas*, It was subsequently decided by the supreme court of this commonwealth, that while the legislature had full authority to repeal the provisions of the said acts, by which the said tonnage tax was imposed, yet, inasmuch as part of the said last mentioned section in the act for the sale of the main line placed all the property of the said company beyond the reach of the taxing power, it was, therefore, to that extent, unconstitutional and void :

*And whereas*, It was the clear intention of the legislature, by the said act for the sale of the main line, in case the said the Pennsylvania railroad company should become the purchaser of the same, to exonerate and release the said company from further liability for the payment of the said tonnage tax, and for the additional consideration therein named, all other taxes ; and as the said tonnage tax now falls indirectly on flour, grain, cattle, iron, minerals and other domestic products transported on one line of improvements, while similar products transported on other lines are exempt from the same ; and as the reason for the imposition thereof ceased to exist on the sale of the works it was intended to protect, the right of the state any longer to demand the payment of the said tax is denied, and said demand has led to litigation between the state and the company, and will probably involve the parties in litigation with citizens of other states, to the injury of our internal trade and commerce, which it is the duty of the government to encourage and protect, by all lawful means :

*And whereas*, The said company has proposed a compromise and final settlement of the question, by paying into the treasury, in commutation of the said tonnage tax, and in discharge thereof, such additional sum, semi-annually, over and above the instalments of principal and the interest on its debt to the state, as may be required to make said payments amount to four hundred and sixty thousand dollars (\$460,000) annually, until the year eighteen hundred and ninety, at which time the entire balance of the principal and interest shall be paid in full ; and by paying, also, in addition to the said semi-annual instalments, all other taxes on their property to which they may hereafter be made liable under the general revenue laws of the state, and agree to make reductions for transportation of local trade, as hereinafter provided, and to aid, also, in the construction of certain lateral railroads, the completion of which is essential as a means of facilitating the settlement and improvement of valuable districts of the commonwealth yet undeveloped :

*And whereas*, In the opinion of this legislature it is expedient to accept the said proposition, and to relieve all agricultural, mineral and industrial products, and other property passing over any railroad, canal or slackwater navigation in this common-

wealth, from the payment of tonnage tax or duty to the state; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Directors may accept the provisions of the act and enter into contract with the commonwealth.

if a majority of the directors of the Pennsylvania railroad company, who, for the purposes of this act, are hereby vested with all needful authority, shall, at a meeting called for that purpose, resolve to accept the provisions of this act, and shall authorize the execution of a written contract, under its corporate seal, with the commonwealth of Pennsylvania, to pay into the state treasury, on account of its indebtedness to the commonwealth, by reason of the purchase of the main line of the public works, on the thirty-first days of January and July, in every year, until the thirty-first of July, eighteen hundred and ninety, inclusive, such sum, in addition to the interest on its bonds owned by the state, and in addition to its annual liability to the state on account of purchase money for said line of improvements, as will increase each semi-annual payment, on account of said debt and interest, to the sum of two hundred and thirty thousand dollars, (\$230,000,) and the aggregate of all such payments to the sum of thirteen millions five hundred and seventy thousand dollars, (\$13,570,000,) and shall agree to pay, on the said thirty-first day of July, eighteen hundred and ninety, into the treasury, the balance then unpaid of the principal and interest of said bonds, and shall further agree to reduce its local charges for the transportation of grain, flour, cattle, iron, minerals and other property, as hereinafter provided; and if the said company shall, in the manner aforesaid, on or before the first day of July next, make and enter into with the commonwealth of Pennsylvania a written contract to that effect, and shall, on or before said day, deliver the same to the commonwealth, by depositing the same in the office of the auditor general, then and in such case, and in consideration thereof, the commonwealth of Pennsylvania shall not, at any time hereafter, lay, impose, levy or collect any tax or duty upon, or in respect to freight or tonnage passing over the said Pennsylvania railroad, or the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad, or any part of them, or either of them, unless a like tax shall at the same time be imposed, laid or levied upon all other railroads or railroad companies of this commonwealth; and all laws imposing taxes or duties upon freight or tonnage upon the railroads, canals or slackwater navigation companies, for the use of the commonwealth, be and they are hereby repealed, and no further or other proceedings shall be had or taken on the part of the commonwealth to enforce the collection of any tax or duty, or obligation given therefor, or judgment recovered or obtained, in pursuance of any existing laws, on tonnage carried or conveyed on the railroad of said Pennsylvania railroad company, or on that of any other company incorporated by this state; and the said companies shall be, by the proper officers of the commonwealth, exonerated, released and relieved from every lien and liability to the state on account thereof.

Conditions and considerations.

Repeal of laws imposing tax upon tonnage.

To be released from lien and liability to state on account of obligation given or judgment recovered.

**SECTION 2.** That from and after the passage of this act, all railroad, canal and slackwater navigation companies incorpo-

rated by this state, and liable for the payment of taxes or duties on tonnage, imposed by any laws heretofore enacted, shall make a reduction of their charges for transportation on their local freight, as fixed by their respective toll sheets, on the first day of February, one thousand eight hundred and sixty-one, equal to the full amount of the tax or duty chargeable upon such freight or tonnage by the laws aforesaid; the present winter rates between first day of December and the first day of May, shall be considered as fixed at ninety cents per one hundred pounds for first class, seventy-five cents per one hundred pounds for second class, sixty cents per one hundred pounds for third class, and forty cents per one hundred pounds for fourth class; summer rates between the first day of May and first day of December, in each year, shall be seventy-five cents per one hundred pounds for first class, sixty cents per one hundred pounds for second class, fifty cents per one hundred pounds for third class, and forty cents per one hundred pounds for fourth class, on all trade carried between Philadelphia and Pittsburg; and a failure on the part of either of said companies to make such reduction, shall render the company so neglecting liable to the commonwealth for double the amount of the tonnage tax heretofore chargeable against them upon such trade; and every such company shall, within thirty days after the passage of this act, under a like penalty, file in the office of the auditor general, under the oath of the president or other proper officer, a toll sheet of their rates of charges for transportation of local freights, upon the first day of February, one thousand eight hundred and sixty-one, accompanied by a statement of the reduction to be made in pursuance of this act; and the said rates, as so reduced, shall be the highest rates that can be charged for the transportation of such freight and tonnage by any company accepting the provisions of this act: *Further*, The Pennsylvania railroad company shall not, at any time, charge or collect rates on any description of freights, from any eastern or seaboard cities to Pittsburg, higher than the gross rates charged or collected by the same route from same points to any point west of Pittsburg; nor shall the said Pennsylvania railroad company at any time charge or collect rates on any description of freights from Pittsburg to Philadelphia, Baltimore, New York or other seaboard cities, higher than the gross rates that may be charged by the same route from any point west of Pittsburg to the same points, on the same description of property. The local rates from Pittsburg or Philadelphia to stations on the line of the Pennsylvania railroad, shall at no time exceed the gross rates charged through between Philadelphia and Pittsburg; nor shall local rates between any two stations on the road between Philadelphia and Pittsburg, exceed the through rates as made from time to time under the provisions of this act, nor shall the rates charged to any local points exceed those charged to any point of greater distance in the same direction from the place of shipment: *And further*, All shippers of western products, under through bills of lading, from any point west of Pittsburg, by river to Pittsburg, to the seaboard cities, shall have the privilege of disposing of their property at Pittsburg, by giving timely notice, before

Reduction of charges for transportation on local freight.

Rates.

Liability upon failure to make reduction.

Toll sheet of rates and statement of reduction to be filed.

Limitations of rates.

Rates westward.

Local rates.

Privileges of shippers.

its arrival at that point, to the transfer agents of the Pennsylvania railroad company, and by delivering up their through bills of lading, thus releasing the Pennsylvania railroad company from all liability on account thereof. If the property is not sold at Pittsburg, the owner, consignee or shipper of said property shall have the right to deliver the same to the transfer agency of the Pennsylvania railroad company at Pittsburg, and forward the same, within ten days after its arrival at Pittsburg, under the conditions and rates of the original through bill of lading.

Liabie to state  
tax.

SECTION 3. That the Pennsylvania railroad company shall be liable to taxation for all state purposes, and the said company shall pay the same rate of taxation which is now or may hereafter be imposed by any general law operating upon all other railroad companies incorporated by this commonwealth. The semi-annual instalments of the sum of thirteen millions five hundred and seventy thousand dollars, (\$13,570,000,) and the balance of the said debt and interest so to be paid into the state treasury as is herein provided, are hereby pledged to, and the same shall be applied only to the payment and extinguishment of the principal and interest of the funded debt of this commonwealth, and to no other purpose whatsoever.

To be applied  
only to payment  
of state debt.

Other roads to be  
aided.

SECTION 4. That for the purpose of developing the resources of the state, the Pennsylvania railroad company is hereby authorized and required to expend the sum of eight hundred and fifty thousand dollars (\$850,000) in aid to the Chartiers Valley railroad company; the Pittsburg and Steubenville railroad company; the Fayette County railroad company, (between Greensburg and the Youghiogheny river;) the West Pennsylvania railroad company, (between Blairsville and Butler;) the Ebensburg and Cresson railroad company; the Bedford railroad company, (between Hopewell and Bedford;) the Tyrone and Clearfield railroad company, and the Phillipsburg and Waterford railroad company, (between Tyrone and Brookville;) the Tyrone and Lock Haven railroad company; the Mifflin and Centre County railroad company, (between Lewistown and Milroy;) the Chambersburg and Allegheny railroad company, (between Chambersburg and the point of connection with the Bedford railroad, near Hopewell;) or their successors or assigns, in sums proportioned to their respective lengths between the above designated points, by purchasing their bonds at their par value, respectively, from said companies, payable in twenty years, with interest, payable semi-annually, secured by a first mortgage created for the purpose on their property, real and personal, and franchises acquired and to be acquired; and the said companies are hereby respectively authorized and empowered to create and issue such bonds, and secure the payment thereof by such mortgages, by and with the consent of a majority of their respective stockholders, present at a meeting to be called for that purpose, of which notice shall be given, as provided by their charters or by-laws, respectively; said bonds, and the mortgages given to secure the same, shall not exceed in amount the sum required for the cost of the superstructure of bridges, the rails, cross-ties, chairs and spikes, and laying the track of the said roads, respectively; and the proceeds of all the said bonds so secured, shall be exclusively

Mode of.

applied to the said purposes; and the said purchases of bonds shall be required to be made of each of the said companies in instalments, after sections of said roads, respectively, of the length of five miles from each end, as hereinbefore designated, shall have been duly and properly graded, and the masonry completed, and after the said grading and masonry shall have been approved by a competent civil engineer, appointed by the governor for that purpose, and who shall be paid for his services by the said companies receiving aid under the provisions of this act; and when each section of five miles, so graded from each such end of the said roads respectively, shall have been so completed, and such certificate so given, then the *pro rata* proportion of the said bonds shall be purchased, and so continued, from time to time, until the amount payable to the said companies shall be exhausted; and the sum paid upon the completion of the said sections as aforesaid, respectively, shall be exclusively appropriated and be used for the purposes above mentioned upon the section for and in respect to which the purchase is made, and for no other purpose or portion of said road whatsoever: *Provided however*, That if either of the said companies shall fail to grade and prepare for bridges, superstructure and laying of track at least one section of five miles at each of such end of its road within one year, or the whole of their respective roads within three years from the passage of this act, any such company so in default shall no longer have any right to demand or require any further purchase of their bonds as aforesaid, and the sums which any such defaulting companies would have been entitled to demand in payment of their bonds, shall be added *pro rata* to the purchases to be made of such of the said companies as shall comply with the provisions of this section: *Provided*, That said companies be required to use none but American iron for rails, chairs and spikes in the construction of their roads. Proviso.

SECTION 5. That if any stockholder or stockholders of any railroad, canal or slackwater navigation companies shall be dissatisfied with, or object to any of the provisions of this act, then it shall and may be lawful for any such stockholder or stockholders, within six months after the passage of this act, to apply by petition to the court of common pleas of the county in which the chief office of the said companies may respectively be held, to appoint three disinterested persons to estimate and appraise the damage, if any, done to such stockholder or stockholders, and whose award, or that of a majority of them, when confirmed by the said court, shall be final and conclusive; and the person so appointed shall also appraise the share or shares of said stockholders in the said company at the full market value thereof, without regard to any depreciation in consequence of the passage of this act; and the said company may, at its election, either pay to the said holder the amount of damages so found, or the value of the stock so ascertained; and upon payment of the value of the stock as aforesaid, the said stockholders shall transfer the stock so held by him to said company, to be disposed of by the directors of said company, or be retained by them for the benefit of the remaining stockholders. And all Remedy for stockholders objecting or dissatisfied.

Repeal.

laws inconsistent with the provisions of this act, be and the same are hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 101.

## A N A C T

To change the name of the Sunbury and Erie Railroad Company, and to facilitate the completion of a Railroad from Sunbury to Erie.

Preamble.

WHEREAS, The Sunbury and Erie railroad company have made application to this General Assembly for the passage of an act to change the name of the said corporation, so that the same shall hereafter be called and known as the Philadelphia and Erie railroad company :

*And whereas,* The said company have been unable to dispose of their bonds for three million five hundred thousand dollars, made by authority of the act for the sale of the state canals, approved the twenty-first of April, one thousand eight hundred and fifty-eight, for the purpose of raising money to complete the construction of their railroad ; the payment of which said bonds, as well as their bonds for the same amount now in the sinking fund, and owned by the commonwealth, was intended to be secured by the mortgage for seven millions of dollars, executed in trust for that purpose, recorded in the office for the recording of deeds for the city and county of Philadelphia, and deposited for safe keeping in the office of the state treasurer ; and by reason of the fact that the said bonds cannot be disposed of, the work on the said railroad has been suspended, and the said company are unable further to prosecute the same, or to pay the interest on their said debt to the commonwealth :

*And whereas,* In case of a foreclosure of the said mortgage, and a judicial sale of the said work in its present condition, an incumbrance of six hundred thousand dollars existing thereon, being a lien for work, labor and materials, will take precedence of the claim of the state, and is required by law to be paid prior to and in preference thereof, and will be likely to absorb the entire proceeds of such sale, whereby the said indebtedness to the state, represented by the said bonds for three million five

hundred thousand dollars, would be wholly lost, and it is important to the public interests that this legislature should adopt such measures as will prevent the sale and sacrifice of the said work, and secure the ultimate payment of the said debt:

*And whereas,* The completion and equipment of the said railroad are necessary for the purposes last aforesaid, and to that end, and for the purpose of paying and discharging the said lien for six hundred thousand dollars, it is necessary that the said mortgage for seven million of dollars shall be cancelled, and that the said company be authorized to issue other bonds, and secure the payment of the same by a first mortgage, and it is expedient that such authority be conferred on the said company upon the terms expressed in the provisions of this act; therefore, for the purposes aforesaid, and to secure the completion and equipment of the said railroad, and the ultimate payment of the said debt of three million five hundred thousand dollars to the state,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate name and title of the Sunbury and Erie railroad company be and the same is hereby changed to the Philadelphia and Erie railroad company, by which name and title the business of the said company shall hereafter be managed and conducted, with the same effect as if the name thereof had not been changed.

Change of name.

SECTION 2. That the said the Philadelphia and Erie railroad company be and it is hereby authorized to execute and issue, under its corporate seal, five thousand bonds, not exceeding in amount the aggregate sum of one million of pounds, sterling money of Great Britain, or five millions of dollars, lawful money of the United States, any number or all of which may be issued for two hundred pounds each, sterling money aforesaid, and any number or all of which for one thousand dollars each, payable in twenty years from the date thereof; the said bonds shall bear interest at the rate of six per centum per annum, payable semi-annually, and shall not be subject to taxation; and the said bonds, or the proceeds thereof, shall be used by the said company for the purpose of completing and equipping the said railroad, and for the payment of debts contracted concerning the same, and of the scrip issued by the said company under the act of thirteenth of April, one thousand eight hundred and sixty; and as security for the payment of the principal and interest of the said bonds, the said company is hereby authorized to execute, in trust, under its corporate seal, a mortgage of the whole line of its railroad, finished, unfinished and to be finished, from Sunbury to the harbor of Erie, and its appurtenances, including all locomotives and cars which may at any time be placed thereon, together with all its real estate, rights, liberties, privileges and franchises; which said mortgage shall be delivered to the trustee or trustees therein named, and recorded in the several counties in which the property therein described, or any part thereof, may be situate, and shall thereupon be and remain the first mortgage on all the property therein described, until fully satisfied, except as to that part of the road of the said com-

Authorized to issue bonds.

Amount and conditions.

Purposes of.

May execute mortgage.

To be delivered to trustees.

Shall remain the first mortgage.



Exception.	pany which extends from Sunbury to Williamsport, on which a mortgage for one million of dollars now exists.
May issue other bonds.	SECTION 3. That the said company be and is hereby authorized to execute, under its corporate seal, forty bonds, for one hundred thousand dollars each, payable in forty years from the date thereof, bearing interest at the rate of six per centum per annum from and after the first day of January, one thousand eight hundred and seventy-two, and secure the payment of the same by a mortgage to the commonwealth of all the railroad of the said company, finished, unfinished and to be finished, and all the property, rights, privileges and franchises, including locomotives, cars and rolling stock of the said company, which said mortgage shall be subject to the mortgage authorized by the second section of this act, and to the mortgage for one million of dollars on that part of the said road which extends from Sunbury to Williamsport; and the said company shall deliver the said forty bonds, together with the said mortgage, to secure the payment of the same, to the commissioners of the sinking fund, and the said commissioners shall receive the same as collateral security for the payment of the said five per cent. bonds for three million five hundred thousand dollars, now in the sinking fund, and the treasurer of the commonwealth shall thereupon cancel and surrender all the bonds belonging to the said company, and deposited in his office for safe keeping, under the provisions of the act for the sale of the state canals.
Terms of.	
Mortgage to the commonwealth.	
Subject to.	
To be delivered to commissioners of sinking fund and received as collateral security.	
Treasurer to cancel and surrender certain bonds.	
Time for payment of principal and interest of bonds, extended.	SECTION 4. That the time for the payment of the principal and interest of the said bonds for three million five hundred thousand dollars, now in the sinking fund, be and the same is hereby extended till the maturity of the bonds for four millions of dollars, to be given as collateral security aforesaid, and the payment of the said collateral bonds, with the interest thereon, as the same shall become due and payable, shall be full satisfaction of the said bonds for three million five hundred thousand dollars and of the conditions thereof: <i>Provided</i> , That the whole amount of principal and interest so to be paid by the said company, shall not be less than the debt now owing by the said company to the commonwealth, with the stipulated interest thereon till the time of payment.
Proviso.	
Cancellation of bonds.	SECTION 5. That on the surrender and cancellation of all the five per centum bonds of the said company, made by authority of the act for the sale of the state canals, approved the twenty-first of April, one thousand eight hundred and fifty-eight, except those belonging to the state for three million five hundred thousand dollars, and now in the sinking fund, it shall be the duty of the trustees of the mortgage for seven millions of dollars, executed by the said company to secure the payment of the said bonds, forthwith to enter satisfaction on the record thereof, and the lien of the said mortgage shall thereupon be discharged and forever extinguished.
Trustees of mortgage to enter satisfaction.	
Lien extinguished.	
Bonds to be deposited in treasury.	SECTION 6. That all the bonds authorized by the second section of this act, shall be deposited in the office of the state treasurer, for safe keeping, and shall be delivered to the said company for issue, as hereinafter provided; that is to say, that when satisfaction is entered on the record of the mortgage mentioned in the fifth section of this act, the governor shall, by his war-

rant, authorize the state treasurer to deliver to the said company one thousand of the said bonds, which, or the proceeds of which, shall be appropriated by the company to the purposes mentioned in the second section of this act; and upon notice to the governor that such appropriation has been made, he shall forthwith appoint a competent person to examine and report, at the expense of the said company, the indebtedness liquidated and work done, and on being satisfied of the faithful application of the said bonds, or the proceeds thereof, the governor shall then, in the manner aforesaid, authorize the delivery of another thousand of the said bonds to the said company, for the purposes aforesaid, and the remainder thereof from time to time, and on the same conditions, *pari passu* with the progress of the said work and the equipment thereof; but before any of the said bonds are delivered to the said company for issue, there shall be endorsed on each of them the words, 'Issued by authority of an act of assembly, entitled 'An Act to change the name of the Sunbury and Erie railroad company, and to facilitate the completion of a railroad from Sunbury to Erie,' ' over the signature and official seal of the secretary of the commonwealth, who is hereby authorized to sign and seal the said certificate as aforesaid: *Provided however*, That such endorsement shall not render the commonwealth liable for the payment of the same in any contingency.

Warrant of governor authorizing delivery of one thousand bonds.

Appointment of person to examine and report upon application of bonds, &c.

Delivery of another thousand bonds.

Remainder on same condition.

To be endorsed.

Signature and seal of secretary.

Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 102.

## AN ACT

To change the name of the Harmonia Sacred Music Society of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the corporation called heretofore the Harmonia Sacred Music society of Philadelphia, be changed to that of the Harmonia Musical society of Philadelphia, by which latter name the said corporation shall be hereafter known and designated; and that all the rights and privileges to which the said society

is now entitled, shall continue the same and as fully as if the said change had not occurred.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 103.

## AN ACT

To incorporate the Philadelphia Skating Club and Humane Society.

	<b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i>
Corporators.	Franklin Peale, James Page, Conrad B. Address, James Sullender, Edward W. Bushnell, Washington L. Germon, William Van Hook, Alexander E. Harvey, Edward D. Yates, William H. Taggart, M. D., John H. Brinton, M. D., Charles S. Boker, M. D., John K. Kane, M. D., and David W. Sellers, and all and every person who shall, at the time of the passing of this act, be members of the association called the Philadelphia skating club and Humane society, shall be and they are hereby created and declared to be one body politic and corporate, by the name,
Style.	style and title of the Philadelphia skating club and Humane society; and by the same name shall have perpetual succession,
Powers and privileges.	and shall be able to sue and be sued, implead and be impleaded, in all courts of record or elsewhere; and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels, of what nature, kind or quality soever, real, personal or mixed, or choses in action, and the same from time to time to sell, grant, devise, alien or dispose of; and also to make and
Seal.	have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such
By-laws.	by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter or the constitution and laws of the United States or of this commonwealth; and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering of the affairs thereof: <i>Provided, That the clear yearly value or income of the</i>
Proviso.	

real and personal estate of the said corporation shall not exceed the sum of two thousand dollars.

SECTION 2. The object of the association shall be instruction and improvement in the art of skating, the cultivation of a friendly feeling in all who participate in the amusement, and the efficient use of proper apparatus for the rescue of persons breaking through the ice.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 104.

## AN ACT

To incorporate the Towanda Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Macfarlan, C. F. Wells, Jr., C. L. Ward, G. F. Mason, M. C. Mercur, U. Mercur, John C. Adams, William Elwell and Jos. Powell, and their associates, and such other persons as may hereafter become stockholders in the company to be called the Towanda telegraph company, their associates and assigns, shall be and are hereby made and constituted a body politic and corporate, for the purpose of making, using and maintaining a telegraph line from Towanda to Athens or Waverly, in the county of Bradford, and with power to extend the same from Towanda to Pittston, in Luzerne county, and to purchase, make, use and maintain any connecting or side lines which are now or hereafter shall be made within the counties of Bradford, Wyoming, Luzerne, Sullivan or Tioga; and by the said name, style and title of the Towanda telegraph company, shall have all the powers, rights and privileges and immunities, and be subject to all the restrictions and provisions contained in an act, entitled "An Act to incorporate the Philadelphia and Wilkesbarre telegraph company," approved the twenty-ninth day of March, one thousand eight hundred and forty-nine.

Corporators

Style.

Purposes of.

Route.

May extend.

Power to make connecting lines.

Limitation.

Rights and privileges.

Subject to.

SECTION 2. The persons named in the first section of this act, or any three of them, shall call a meeting in the borough of Towanda, on the first Monday of September next, or at any time previous, of the corporate body hereby created, giving ten days' Time and place of meeting.

Notice.	notice of the time and place of holding the same, in at least one newspaper published in Bradford county, for the purpose of
Election of officers.	choosing a president, secretary, treasurer and five directors ; which directors, with the president, shall constitute the board of directors for the management of the affairs of the company :
Proviso.	<i>Provided</i> , That the annual and other meetings of the corporation shall be held at such time and place as may be prescribed by the by-laws: <i>And provided further</i> , That each share of stock shall be entitled to one vote in all elections: <i>And provided further</i> ,
Proviso.	The enrolment tax for this act shall be ten dollars.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 105.

### A FURTHER SUPPLEMENT

To an act to incorporate the Greensburg Gas and Water Company, approved April first, one thousand eight hundred and fifty-eight.

Change of name.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same</i> , That the name and title of the Greensburg gas and water company be changed and altered to Greensburg gas company ; and that all the property, real and personal, of the Greensburg gas and water company, shall be fully and entirely held by and vested in the Greensburg gas company ; and that the Greensburg gas company shall have and enjoy all the rights, privileges and immunities heretofore granted to the Greensburg gas and water company: <i>Provided</i> , That so much of the act to which this is a further supplement, as grants the right to erect water works and supply water, and also the last proviso contained in the third section of said act, to be and the same are hereby repealed.
Property vested.	SECTION 2. That hereafter the annual election for managers shall be held on the fourth Monday of January, in each year ; vacancies in the board of managers may be filled by special elections, to be ordered by the board ; meetings of the stockholders may be convened at any time, under such regulations as may be established by the by-laws of the company, of which same notice shall be given as provided for elections, at which
Privileges.	
Proviso.	
Annual election.	
Vacancies, how filled.	
Meetings.	

the stockholders may attend in person or by proxy, and shall be entitled to one vote for each share in the capital stock he, *Votes.* she or they may hold or represent; no power of attorney to vote at any election or meeting of the stockholders shall be valid, unless executed and dated within two months prior to such election or meeting.

SECTION 3. That in case of the loss of any certificate for shares in the capital stock, no new certificate shall issue, or shall a transfer of such stock be permitted, until proof of the loss thereof shall be made by the affidavit of such stockholder, or some other person, stating the number and date of such certificate, and the number of shares for which the same issued, and until such stockholder shall further give to said company a bond, in double the par value of said stock, with one or more approved sureties, conditioned that they will protect, save, indemnify and keep harmless said company from all suits, actions, loss, damages, costs, charges or expenses whatsoever, touching or concerning the issuing of or transfer of shares represented by stock certificate numbered        dated        for        shares in the capital stock of said company, issued to        in lieu of certificate numbered        dated        for        shares in said capital stock, in name of-        alleged to have been lost or destroyed. *Conditions upon which certificates for shares may issue.*

SECTION 4. That the said company shall not borrow or issue certificates of indebtedness for any sum exceeding five thousand dollars: *Provided,* That the board of managers shall not borrow or issue certificates of indebtedness for any sum exceeding five hundred dollars, unless the same shall have been previously authorized and approved at a meeting of the stockholders. *Limitation. Proviso.*

SECTION 5. That the board of managers may reduce the capital stock of said company by purchasing, or otherwise securing, the surrender and cancelling of such number of shares as they shall deem advisable; and it shall be lawful for them to use so much of the moneys of the company as shall be necessary for that purpose, but they shall not pay a price greater than the par value thereof for any stock they may so purchase; and the capital stock shall not be reduced, or shall the same be increased, unless the same shall have been previously authorized and approved at a meeting of the stockholders: *Provided,* That in case of any reduction of the capital stock, no stockholder shall be compelled to surrender or cancel any shares, or shall the number of his or her shares be reduced, unless by the consent of such stockholder: *And provided,* That all the provisions of the act to which this is a further supplement, as are inconsistent with the provisions of this supplement, be and the same are hereby repealed: *And provided further,* That the provisions of this supplement shall not go into effect until the same shall be accepted and adopted by the stockholders, at a meeting to be called for that purpose. *Board of managers may reduce capital stock, mode of. Proviso. Proviso. Proviso.*

SECTION 6. That the state treasurer is hereby directed to refund to said company, from money in the treasury not otherwise appropriated, the sum of seventeen dollars and fifty cents, being amount of tax illegally levied upon the works of said company for the years one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty, and paid into *State treasurer to refund certain tax paid.*

Other taxes.

the state treasury; and if it shall appear that said company have paid any money for taxes illegally assessed upon their works, for county, township, road or school purposes, it shall be lawful for them to recover the same back, in same manner as debts of like amount are by law recoverable, any law to the contrary notwithstanding.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 106.

## AN ACT

To authorize the sale of the Walnut Hill School Property, in the late township of Byberry, Twenty-third ward, Philadelphia.

WHEREAS, A certain school property, known as the Walnut Hill school property, in Byberry, Twenty-third ward, Philadelphia, and held by trustees nominated by Byberry preparative meeting of Friends, for school purposes, has, by reason of the public school near by, become useless, and the building dilapidated, and it is desirable that the same be sold; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Nathaniel Richardson, John Roberts, Charles Walmsley and Barclay Brown be and they are hereby authorized to sell said property, known as the Walnut Hill school property, in the Twenty-third ward, Philadelphia, containing sixty-six perches, more or less, with the improvements, by public sale, to the highest and best bidder, and convey the same to the purchaser, clear of all incumbrance, and the proceeds, after paying the necessary expenses, to be paid to the Byberry library company.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 107.

## SUPPLEMENT

To an act to authorize the sale and conveyance of certain real estate.

WHEREAS, By reason of the decease from time to time of Wilhelm Willink and his associates, commonly known as the Holland land company, the titles to very large bodies of land in this commonwealth, derived from the said company, have become precarious by reason of the great difficulty of proving the survivorship of the several members thereof, they having resided, during their lives, and at the time of their death, in the kingdom of Holland; for remedy whereof,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where any deed of conveyance, lease, release, mortgage, power of attorney or other paper purporting to convey any interest in real estate purporting to be executed by the survivor or survivors of Wilhelm Willink, Hendrick Vollenhoven, Rutger Jan Schemmelpeaniack, Nickolas Van Stophorst, Christian Van Eeghen and Peter Stadnitske, or their or any of their trustee or trustees, or the survivor or survivors of said trustee or trustees, shall be exhibited in any court of this commonwealth wherein the title of the said Holland company may be involved, the said deed lease, release, mortgage, power of attorney, or other writing, shall be taken *prima facie*, as vesting the title of the said Wilhelm Willink and his associates, or of Wilhelm Willink, junior, and his associates, or any of their or either of their trustee or trustees, or their or either of their survivor or survivors, in their or either of their grantee or grantees, as fully and effectually as though said survivorship have been fully proven.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 108.

## AN ACT

Revising the Charter of the Municipal Corporation of the city of Reading.

Boundaries of city.	<b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That the inhabitants of the municipal corporation of the mayor, aldermen and citizens of Reading, in the county of Berks, for all the purposes for which cities are by law incorporated in this commonwealth, with the boundaries as at present established, excepting as hereinafter provided, shall continue to be one body politic, in fact and in name, under the style and denomination of the city of Reading; and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations now incumbent upon and appertaining to said city as a municipal corporation.
Style.	
Powers and privileges.	
Divided into five wards.	<b>SECTION 2.</b> That the said city shall be divided into wards, as follows, to wit: First ward, that part thereof now constituting Spruce ward; Second ward, that part thereof now constituting South-West ward; Third ward, that part thereof now constituting South-East ward; Fourth ward, that part thereof now constituting North-East ward; Fifth ward, that part thereof now constituting North-West ward; and whenever a street, road or railroad is the dividing line, the centre thereof shall be understood; and that all elections in said city of Reading shall be held on the respective days fixed by law, between the hours of eight o'clock, ante meridian, and seven o'clock, post meridian, in the several wards, at the places now fixed by law.
Elections, times and places.	
Officers.	<b>SECTION 3.</b> That the administration of all the fiscal, prudential and municipal concerns of said city, with the conduct and government thereof, shall be vested in one principal officer, to be styled the mayor; one council, to be called the select council, and one council, to be called the common council; and also such other officers and boards of officers as are hereinafter specified; and the fiscal year of the city of Reading, and such officers and boards of officers, shall commence on the first day of January, in each and every year.
Fiscal year to commence first of January.	
Annual election, when and how held.	<b>SECTION 4.</b> That the annual meeting of the citizens for the election of municipal officers, hereinafter mentioned, shall be held on the third Friday in March; and the mayor shall issue his proclamation to the qualified voters of each ward at least ten days before said third Friday, and therein state the officers to be voted for at such election; and the person receiving the highest number of votes for any office shall be deemed and declared to be elected to office; and whenever two or more persons are to be elected to the same office, the several persons, to the number required to be chosen, having the highest number of votes, shall be declared elected; and in case of a tie vote between candidates having the highest number of votes for the

same office, such candidates so having a tie vote shall, on the day fixed for the entering upon the duties of the office to which he or they have been elected, determine by lot which of them shall be entitled to hold the said office.

SECTION 5. That the freemen of the city of Reading, being citizens of the United States, who have resided within the bounds of said city for one year, and have paid the city tax for the year preceding the election, which shall have been assessed at least ten days before, shall be entitled to vote at the elections for officers of the said city; and any person not so qualified, who shall fraudulently vote at any city election, or being otherwise qualified shall vote out of his proper ward, or if any person, knowing the want of such qualification, shall aid or procure such person to vote, the person or persons so offending shall, on conviction thereof, be fined in any sum not exceeding two hundred dollars, and be imprisoned for any term not less than one nor more than six months: *Provided*, That the payment of a city tax shall not be required of any citizen voting on age, between the age of twenty-one and twenty-two years. Qualifications of voters.  
Proviso.

SECTION 6. That all city elections shall be held by the judges and inspectors elected to hold the general elections, or by those duly appointed in their stead, who shall be duly sworn or affirmed for said purpose; and if the said officers, or any of them, shall not open the election for the space of one hour after the time fixed for opening, the qualified voters present of the ward shall elect from among their number to fill his or their place or places; and the said judges, inspectors, and the clerks by them appointed, shall be subject to the same penalties, for a violation or fraud in the discharge of their duties, as is provided in the general election laws of this commonwealth; and it shall be the duty of the clerk of select council to provide, on or before eight of the clock in the morning of any city election, the said officers with election boxes, blank forms, tally papers, and a list of the qualified voters of the respective wards; and in order to enable him to make said lists, the assessors of the several wards shall furnish him with the names of the persons assessed, and the city treasurer and tax collectors with the names of the delinquent tax-payers. Election of officers, their duties.  
Duties of clerk of select council and assessors.

SECTION 7. That the qualified voters of the city of Reading, at their annual elections for city officers, may vote for said officers upon two written or printed tickets or slips of paper, one of which shall be headed "city officers," and contain the names of the candidates for mayor, city treasurer, city auditors and constables for whom the voter desires to vote; and the other shall be headed "ward officers," and contain the names of the candidates for aldermen, select and common councils, judge and inspectors of elections, controller of schools and assessor for whom the voter may desire to vote. Tickets, how printed and voted.

SECTION 8. That the officers herein provided to hold the city elections, after closing the polls, counting and ascertaining the number of votes for each candidate or person voted for, shall, within twenty-four hours, make return thereof, as follows, namely: For the office of mayor, the return shall be delivered to the president of the select council, and by him laid before the said council on the day of organization, and by the president Returns of election, how and when made, &c.

elect of said council before the joint convention of the two branches of the city councils, on the Wednesday succeeding the city election for mayor; for the offices of city treasurer, city auditors and members of councils, to the mayor, who shall present the returns for members of the councils at the time fixed, on the Tuesday succeeding the city election, for their organization, to the respective bodies, and the returns for the other offices to the joint convention of the councils, on the Wednesday succeeding the city election of said officers; for the office of alderman, the return shall be made in the manner now provided by law in the case of elections of justices of the peace; and for all the other offices, in the manner now provided by law in such cases; and the said officers shall give notice to the persons elected in their respective wards.

**Notice.**

Members of select council, qualifications of.

Present members in office until expiration of terms.

Time of election. Term.

Common council, number and qualifications.

Election and term.

Power to regulate number hereafter.

Proviso.

Meeting of councils.

Election of officers.

SECTION 9. That the select council shall consist of one member from each ward, who shall have the same qualifications as are required by the constitution of this commonwealth for members of the Senate. The present members shall continue in office for the wards in which they reside until the expiration of their respective terms, unless sooner vacated; and the qualified voters of each ward in which the terms of members shall expire, shall annually, on the third Friday in March, elect one member, qualified as aforesaid, to serve for three years from the Tuesday succeeding the respective city elections. The common council shall consist of one member for every three hundred taxable inhabitants of each ward, and one member for every fraction of three hundred taxable inhabitants exceeding in number two hundred, who shall have the same qualifications as are required by the constitution of this commonwealth for members of the House of Representatives, and shall be elected by the qualified voters of each ward for the term of one year from the Tuesday succeeding the respective city elections; and the common council shall have power to regulate the number of common councilmen to be chosen from each ward, from time to time, being governed in the discharge of that duty by the ratio of representation as prescribed aforesaid; and the number of taxable inhabitants of each ward shall be determined from the returns of the assessors for city purposes in the preceding year: *Provided*, That no member of the state legislature, nor any one holding office or employment from or under the state at the time of said election, shall be eligible as a member of said councils; nor shall any member of said councils, during the term for which he shall be elected, hold any office or employment herein created or provided for, of a municipal character.

SECTION 10. That the members of the select and common councils, elected on the third Friday in March, one thousand eight hundred and sixty-one, shall meet at the house provided for their accommodation in said city, between the hours of one and four o'clock in the afternoon of the Tuesday succeeding their election, and shall then and there organize in separate chambers; each council, by a majority of votes, shall elect a president and such other officers as may be deemed necessary for the transaction of business; and the members of the councils elect shall meet as aforesaid, on the Tuesday succeeding the third Friday in March, in each year thereafter, with those whose

terms have not expired, and shall take the oath of office and enter upon the duties thereof: *Provided*, That the said councils shall provide for the purchase of a lot in a central part of the city, and erect thereon a city hall and lock-up for the use of said city.

SECTION 11. That the members of the select and common councils shall each be sworn or affirmed to support the constitution of the United States, and of the commonwealth of Pennsylvania, and that they will discharge the duties of their office with fidelity; that the president elect of each branch shall also be sworn or affirmed to perform the duties as president aforesaid with fidelity, which oaths or affirmations shall be administered to him by a member appointed for that purpose of the respective branch, and the president so sworn or affirmed, shall administer the oaths or affirmations to the members elect and officers of their respective branches.

SECTION 12. That each council shall judge of the qualifications of its members; and contested elections shall be determined by a committee, to be selected, formed and regulated in such manner as shall be directed by law or ordinance of said city; a majority of each council shall constitute a quorum to do business, but a less number may adjourn from time to time, and have power to compel the attendance of absent members, under such rules and penalties as may be provided.

SECTION 13. That each council may determine the rules of its proceedings, which shall, however, not be inconsistent with any joint rule that may be adopted by the two branches of said councils; and each branch shall have power and authority to vacate the seat of any of its members for misbehavior, neglect of duty or other misdemeanor; each branch shall keep a journal of its proceedings, which shall be at all times open to public inspection, and the yeas and nays of the members on any question shall, at the request of any two of them, be entered on the journals, and that all the voting in the said select and common councils, or in any convention of the same, shall be *viva voce*, and on the final passage of a bill or resolution, the votes shall be taken by yeas and nays.

SECTION 14. That whenever a vacancy or vacancies shall happen in either branch of said councils, by death, resignation, removal from the ward or otherwise, such branch shall order an election to fill such vacancy or vacancies, to be held in the proper ward or wards, at such times as shall be by such council respectively appointed, giving at least ten days' public notice of such election.

SECTION 15. That the said select and common councils shall assemble for the transaction of business on the second and last Saturdays of every month in each year, and at such other times as they may deem it necessary; which meetings shall be at all times open and accessible to all citizens deporting themselves with order and decorum.

SECTION 16. That the legislative powers of the said city shall be vested in the said select and common councils, who shall have full power and authority to make, ordain, constitute and establish such and so many laws, ordinances and regulations as they shall deem to be necessary to preserve and promote the

Oaths to be administered.

Council to judge of qualification of members, &c.

Quorum.

May compel attendance.

May make rules.

Power to vacate seat.

Journal of proceedings.

Shall vote *viva voce*, and on final passage of bills yeas and nays to be taken.

Vacancies, mode of filling.

Business meetings, when held.

Powers vested in councils.

Subject to. Penalties.	peace, good order, health, benefit and convenient government of the said city, subject to the approval of the mayor, as hereinafter provided, and to annex penalties not exceeding one hundred dollars, for the breach thereof, and the same to enforce, put in use and execution, by the proper officers, and at their pleasure to repeal, alter and make anew, as occasion may require:
Proviso.	<i>Provided</i> , That the same shall not be inconsistent with the constitution and laws of the United States, or of this commonwealth:
Proviso.	<i>Provided also</i> , That it shall not be lawful for councils at any time to pass an ordinance, or by other means provide, for the payment of any money in the shape of per diem pay or compensation of any kind for services rendered by them in their capacity as councilmen, or members of committees emanating from councils.
Approval of mayor, relative to.	SECTION 17. That every bill for a law or ordinance which shall have passed both branches of the councils shall be presented to the mayor. If he approve, he shall sign it; but if he shall not approve, he shall return it, with his objections, to the council in which it originated, which shall proceed to reconsider it. If, after such re-consideration, two-thirds of that council shall agree to pass the bill, it shall be sent, with the objections, to the other council, by which likewise it shall be re-considered; and if approved by two-thirds of that council also, it shall be a binding law or ordinance, upon the conditions hereinafter mentioned being complied with. In such case the votes of both councils shall be determined by yeas and nays, and the names of the members voting shall be entered on the journals of each branch respectively. Every such bill which shall be presented
Two-thirds of council may pass bill not signed.	to the mayor, and not so returned by him at the next stated meeting of the councils, shall take effect as if it had been approved by him, unless such bill shall have been presented to the mayor within five days of such next stated meeting, in which case he shall have the right to return the same at the stated meeting succeeding the one mentioned aforesaid.
Bill not returned shall take effect.	Exception.
Ordinances to be published in newspapers.	SECTION 18. That all laws or ordinances which shall be approved by the mayor, passed by two-thirds, without his approval, or become a law by neglect in returning the same, shall be published in one or more of the public newspapers published in said city, within twenty days from and after being severally approved, passed by two-thirds or become a law; and the publication thereof respectively, with the times thereof, shall be proved by the oath or affirmation of the clerk of the select council, and shall at all times be deemed and taken as sufficient evidence of the time and of such publication; and the said laws and ordinances, together with the affidavit of the publication thereof, shall be recorded by the clerk of select council in a book provided for that purpose, within forty days from and after being so as aforesaid approved, passed by two-thirds or become a law; and any such law or ordinance which shall not be published and recorded as aforesaid, shall be null and void.
Proof of publication necessary.	SECTION 19. That it shall not be necessary for any order or resolution of either branch, or to which the concurrence of both branches of the councils may be required, to be presented to the mayor for his approval, but the same shall be binding for all purposes. The councils may transact business by an order or
To be recorded.	
Orders or resolutions to be binding without approval of mayor.	

resolution, and every such order or resolution shall be filed in the archives of said city, and shall be evidence for the purposes therein contained.

SECTION 20. That the qualified voters of the city of Reading shall, on the third Friday in March, one thousand eight hundred and sixty-one, and on the third Friday in March in every second year thereafter, elect one able and discreet person, to serve as mayor of the said city, for the term of two years, and until his successor shall be elected and duly qualified. He shall be at least thirty years of age, a citizen of the United States, and have resided four years next preceding his election within the said city. He shall take the usual oath of office in the presence of the councils, to be administered by the president of the select or common council, between the hours of one and four o'clock, post meridian, on the Wednesday next succeeding his election, if the same shall, within that time, be approved, and shall give security to the city of Reading in such sum as may be fixed and determined upon by the city councils, for the payment of all moneys coming into his hands for fines and penalties, in accordance with the law or ordinances under which the same may be recovered.

Mayor, election of.

Term.

Qualification.

Oath of office, how and when administered.

Security to be given.

SECTION 21. That any citizen of said city qualified to serve as mayor, desiring to contest the election of the person returned elected as mayor, shall present his petition, setting forth the reasons for contesting the same, to the president of the convention of the city councils on the Wednesday succeeding the election of mayor. The said petition shall be signed by at least ten qualified electors of said city, accompanied by an affidavit taken and subscribed before some person having authority to administer oaths, that the facts stated in such petition are true to the best of their knowledge and belief; whereupon the said convention shall present and examine the facts, for which purpose they may adjourn from day to day, hear testimony, and decide within ten days which of the persons is duly elected; and the person in whose favor it shall be decided shall be duly qualified to serve as mayor, or if the said convention should deem it proper to set aside the election, they shall order a special election for said office, to be held within twenty days from and after the determination of said contested election, which shall be conducted in the manner prescribed, and return thereof made as directed in this act, on the third day next following the same; and the person ascertained as having the highest number of votes at such special election shall be duly qualified to act as mayor for the remainder of the term for which he shall have been elected; and whenever a vacancy shall occur in the office of mayor, by the refusal or omission to serve by any person elected as aforesaid, or by the death, resignation, removal from the city or otherwise, it shall be the duty of the councils, in that convention, forthwith to elect a person qualified as aforesaid, to serve as mayor, who shall continue in office until the Wednesday succeeding the next city election, or until his successor shall have been duly declared elected and qualified. In case of the temporary absence or inability of the mayor to act, the councils shall appoint a mayor, to serve until he shall resume the duties of the office.

Contested election, mode of proceeding.

Special election, relative to.

Vacancy, how filled.

Absence or inability.

Powers and duties of mayor.

**SECTION 22.** That the mayor of said city shall be the chief executive magistrate thereof, and shall be, *ex-officio*, a justice of the peace within the city. It shall be his duty to be vigilant and active in causing the laws of this commonwealth, and the laws and ordinances of said city, to be executed and enforced therein; and in order to enable him more effectually to preserve the peace and good order of the city, all the powers given to sheriffs of this commonwealth to prevent routs, riots and tumultuous assemblies are hereby conferred upon him. He shall also communicate to councils at the first stated meeting in the month of January of each year, and oftener, if deemed expedient, the condition of the city in relation to its government, finances and improvements, to recommend the adoption of all such measures as the business and interests of the city may, in his opinion, require. The councils shall fix the number of police constables and watchmen; and the mayor shall nominate, and by and with the advice and consent of the select council, appoint the said police officers and watchmen, and at his pleasure dismiss all or any of them, and in like manner all vacancies shall be filled. The police constables and watchmen shall obey the orders of the mayor, and make report to him; and which reports shall be laid before councils by him whenever required, and shall exercise a constant supervision and control over the conduct of the police constables and watchmen, and receive and examine all complaints preferred against them in the discharge of their duties, and report to councils.

Council to fix number of police constables and watchmen.

Mayor to appoint and control the same.

Jurisdiction of mayor.

**SECTION 23.** That the mayor of said city shall have power to try, judge, hear and determine all actions or prosecutions for penalties, fines or forfeitures imposed by virtue of the laws of this commonwealth, or by virtue of the laws and ordinances of the said city of Reading, as fully and in the same manner, and with the same rights and privileges as justices of the peace by the laws of this commonwealth now have or hereafter may have the power to do; and the said mayor shall have, hold, enjoy and exercise the criminal jurisdiction of a justice of the peace in regard to offences of whatever nature, as fully as the same is had, held, enjoyed and exercised by any justice of the peace of this commonwealth by virtue of the laws thereof. He shall also have power to commit to the prison of Berks county, for a term not exceeding thirty days, any dissolute person or persons who may be detected in reveling in the highways, committing any mischief, or otherwise behaving in a disorderly manner, to the disturbance or annoyance of the peaceable inhabitants of said city. He is also hereby empowered, during his continuance in office, to receive and take the acknowledgments of all deeds, mortgages and other instruments of writing, as fully and effectually as the judges of the several courts of common pleas and justices of the peace of this commonwealth now have or may hereafter have, and also full power and authority to administer oaths and affirmations in all cases, matters and things whatsoever, as justices of the peace now have by virtue of their said offices, and if required, to use the official seal in attestation thereof; and shall receive the same fees for services rendered in the exercise of his jurisdiction, as are by law allowed to the justices of the peace of this commonwealth for similar services.

May take acknowledgments of deeds, &c.

Fees of, relative to.

The said mayor shall have and keep a docket, in which he shall enter and record, or cause to be entered and recorded, all acts, process, judgments, orders and proceedings before him as aforesaid, in the same manner as is required of the justices of the peace of this commonwealth; the said docket of the mayor, and the entries and records therein, and transcripts thereof, certified by the said mayor under his seal, shall be proved, and be competent evidence for all purposes, in the same manner as the docket entries, records and transcripts of the justices of the peace of this commonwealth are or may be required to be proved, and are or may be competent evidence.

Docket, &amp;c.

SECTION 24. That the city of Reading is hereby divided into two districts for the election of aldermen, as follows, namely: The First, Second and Third wards shall comprise the first district, and the Fourth and Fifth wards shall comprise the second district; and that each of said districts shall have two aldermen, who shall reside in their respective districts; and the aldermen who hold the said office at the passing of this act, shall continue in the same until the expiration of their respective terms, unless sooner vacated. They shall be elected in each district by the qualified voters thereof on the third Friday in March, on the expiration of the term or terms, or whenever a vacancy shall exist, by death, resignation, removal from the district or otherwise, and commissioned for the same term of years as is provided by the act of assembly, passed the twenty-first day of June, Anno Domini one thousand eight hundred and thirty-nine, entitled "An Act providing for the election of aldermen and justices of the peace," and the acts supplementary thereto; and the aldermen who shall be elected in pursuance of this act, and the acts herein referred to, shall give security as provided in the said acts, and to be subject to the same liabilities and penalties, to be removed from office in the same manner, and respectively shall have all the civil and criminal authority and jurisdiction, all the rights, powers and privileges now or which may hereafter be by law vested in the several justices of the peace of this commonwealth by the laws thereof, and be entitled to the same fees and perquisites, with the like right of appeal by the party or parties aggrieved from any judgment, order or decree of any such alderman or aldermen, to the court of common pleas for the county of Berks.

Districts for the election of aldermen, how comprised.

Each district to have two aldermen.

Election of.

Commission.

To give security, and be subject to.

Jurisdiction.

Fees.

SECTION 25. That all actions, prosecutions, complaints and proceedings for violation of the laws and ordinances of said city, and for fines, penalties and forfeitures imposed or enacted thereby, which shall be brought before the mayor, or any alderman or aldermen of the said city respectively, shall be instituted in the corporate name of the said city; those which shall be so brought for violation of an offence against the laws of the commonwealth relating to the said city, and for fines, penalties and forfeitures imposed and enacted thereby, shall be instituted in the name of the commonwealth, or as prescribed by the said laws of the commonwealth, and all other actions, prosecutions, complaints and proceedings so brought for fines, penalties or forfeitures imposed or enacted by the laws or statutes of this commonwealth, shall be instituted and conducted as provided by law; and all warrants, writs, orders and process in and con-

Prosecutions, complaints, &amp;c., for violation of ordinances and regulations, proceedings therein.



concerning the said actions, prosecutions, complaints and proceedings, or in and concerning any criminal prosecutions, complaint, case or proceeding made and issued by the said mayor and aldermen respectively, shall be made, directed and issued to any of the police constables or other constables of the said city, who shall respectively serve, obey and execute the same anywhere within the said city or county of Berks, or in any of the cities or counties of this state, under the provisions of the act of assembly of this commonwealth, passed the sixteenth day of April, one thousand eight hundred and twenty-seven, entitled "An Act concerning backing of warrants by justices of the peace," or the same may be issued and served and executed anywhere in the said city and county, by special constables or other persons, as provided by law.

Appeal from  
judgment of  
mayor or alder-  
man, relative to.

SECTION 20. That if any person shall think himself aggrieved by any judgment against him as defendant, by the mayor or any alderman of the said city, in any action, prosecution or proceeding for any fines, penalty or forfeiture imposed or enacted by or under any law or statute of this commonwealth relative to the said city, or by or under any law or ordinance of the said city, such person may, if the said judgment shall exceed the sum of five dollars, exclusive of costs, appeal from the said judgment to the court of common pleas for the county of Berks: *Provided*, That such person shall enter into recognizance to the said city, with one or more sufficient sureties, whose sufficiency shall be approved of by the said mayor or alderman before the said mayor or alderman, in a sum sufficient to cover the said judgment, and all costs that have accrued or that may thereafter accrue in the said case, conditioned that such defendant shall prosecute his appeal with effect: *And provided*, That such appeal shall be taken, the recognizance entered into, and a certified transcript of the judgment and recognizance, to be furnished by the said mayor or alderman to the said defendant, on his demand therefor, shall be filed by the said defendant in the office of the prothonotary of the said court, within twenty days after the rendition of the said judgment. In case the said transcript shall not be so filed within the said time, the said mayor or alderman shall proceed in the said case as if no such appeal had been taken; and in case of the forfeiture or breach of the condition of the said recognizance, the same shall be brought in the corporate name of the said city, and recovered in an action of debt thereon, in the same manner as debts on contract of like amount are sued and recovered by the laws of this commonwealth: *Provided further*, That the said mayor or alderman may issue process and execution on the said judgment immediately on the rendition of the said judgment, and before the expiration of the aforesaid twenty days, unless an appeal shall at the time have been taken and the said recognizance entered into; the said process and execution to be stayed on the payment of the costs of said execution, on an appeal being taken, and recognizance entered into, and transcript filed as aforesaid; the proceedings on the said appeal, and on any judgment thereon in the said court, shall be by the said court, with like process, proceedings and writs of execution as directed or authorized by the acts of assembly of this commonwealth: *And provided*, That in case of

*Provided.*

*Provided*

*Provided.*

*Provided.*

a judgment for the defendant by the said mayor or alderman in any such action or prosecution, instituted in the name of the said city, for a fine, penalty or forfeiture greater than the sum of five dollars, the said city shall have the same right of appeal as the defendant aforesaid, under the same terms and conditions, except entering into recognizance as aforesaid.

SECTION 27. That the qualified voters of the city of Reading shall, on the third Friday in March, one thousand eight hundred and sixty-one, and on the third Friday in March in every second year thereafter, elect a city treasurer, to serve for two years from the Wednesday next succeeding such election, and until his successor shall be duly elected and qualified; and he shall have the same qualifications as is required for the office of select councilman. His election shall be determined upon by councils, in convention, on the Wednesday succeeding the election; and contested elections in relation to the office shall be proceeded with in the manner provided in the case of mayor; and any vacancy in said office of treasurer shall be filled by the city councils in joint convention, in like manner. He shall give bond to the city, conditioned for the faithful performance of his duties, in such amount as the city councils shall direct, and with such sureties as shall be by them approved; and shall, before he enters upon his office, take and subscribe an oath or affirmation, before the mayor, to support the constitution of the United States and of this commonwealth, and honestly to keep and account for all public moneys and property entrusted to his care, and discharge the duties of his office with fidelity. No money shall be drawn from the treasury of the city except the same shall have been previously appropriated by councils to the purpose for which it is drawn. The accounts to be kept by the said treasurer shall exhibit all the receipts and all the expenditures of the city in an intelligible manner, in which the particulars of said item of charge and discharge shall fully and precisely appear. The said treasurer shall keep the public moneys in such place and manner as the city councils shall direct, and shall verify his cash account at least once in every month, to the satisfaction of a standing committee of councils; and upon the affidavit of a majority of such committee of any default therein, the said treasurer may be suspended from office, and another appointed until the further action of councils; and the said treasurer shall, at the expiration of his term of office, deliver all moneys, books and papers in his hands, belonging to the said office, to his successor in office.

Election of city treasurer.

Official term and qualifications of.

To give bond, &c.

Mode of keeping accounts.

SECTION 28. That it shall be the duty of the city treasurer to act as receiver of taxes, as hereinafter provided; and upon the duplicate or duplicates of city taxes having been made out as may be directed by the city councils, the same shall be placed in the possession of the said treasurer, who shall receive and collect said taxes, and for that purpose shall have and exercise all the powers conferred by law in that behalf for the collection of state and county taxes; and if any taxes remain unpaid after the first day of October, in the year for which they are assessed and levied, the treasurer shall deliver the duplicate or duplicates to the city solicitor, who shall register the same, as hereinafter

Duties of city treasurer as receiver of taxes.

**Power.**

**Section 29.** That the standing committee appointed by the select and common councils shall have the right at all times to inspect the accounts of the city treasurer, while in the possession of the said treasurer, and have power to make such allowances or alterations at the same as they may deem necessary; and the said treasurer shall render a monthly account of such sum of receipts with the clerk of the select council.

**And one third of them.**

**Section 30.** That the qualified voters of the city of Reading, on the third Friday in March, one thousand eight hundred and sixty-one, shall elect three reputable persons to serve as city auditors, one for one year, one for two years, and one for three years, and annually thereafter elect one person for the term of three years from the Wednesday succeeding the respective elections, to audit the treasurer's accounts at the end of the fiscal year, and at the close of his term, and perform such other duties as may be prescribed by law or ordinance; and their election shall be determined upon and vacancies filled in the same manner as is provided in the case of city treasurer.

**Constables.**

**Section 31.** That the qualified voters of the city of Reading shall, on the third Friday in March, one thousand eight hundred and sixty-one, and annually thereafter, elect two constables, who shall be qualified as the laws of this commonwealth require such officers to be, and shall, upon entering the requisite security, be commissioned by the court of quarter sessions of the county of Berks; they shall be under and subject to the same legal penalties and provisions, and exercise all the powers, and do and perform all duties that, by the usages and laws of this commonwealth, are enjoined upon such officers. All vacancies that may, from any cause, occur in the said office of constable, shall be filled by the court of quarter sessions of the said county of Berks.

**City solicitor, city regulator, commissioner of highways, and controller of markets and city property, to be elected by council.**

**Section 32.** That the select and common councils, in joint convention, shall annually, at the stated meeting on the Wednesday next succeeding their election, elect, for the term of one year, a city solicitor, city regulator, commissioner of highways, controller of markets and city property, and such other officers as they shall provide for by ordinance, and may deem necessary for the good government and proper execution of the laws and ordinances of said city, and by joint resolution to discontinue or remove all or any officers elected or appointed by them, without the approval of the same by the mayor; and whenever a vacancy may occur in any of the offices elected or appointed by them, the same shall be filled in a similar manner.

**Powers of police constables and watchmen.**

**Section 33.** That the police constables and watchmen, after being duly qualified, shall have power, during their continuance in office, to make arrests, serve and execute all process issued by any officer having jurisdiction, and relating to the penal laws of this commonwealth, and the laws and ordinances of the said city, and to execute all process endorsed by any mayor, recorder, alderman or justice of the peace within this state. They shall have authority as conservators of the peace within the said city, and it shall be their duty to do and perform all acts and things which may be required by the laws and ordinances of the city, and shall also be allowed and entitled to the same fees as other constables.

**Fees of.**

**SECTION 33.** That all officers, either elected or appointed, and not otherwise provided for, shall be sworn or affirmed to support the constitution of the United States and of this state, and to discharge the duties of their office with fidelity; and the city councils shall fix the compensation and prescribe the duties of all officers of said city, in such manner as to carry out the purposes of this act, and as the welfare of said city may require, not inconsistent with the constitution and laws of the United States and of this commonwealth. Whenever any elective officer of said city shall die, or become incapable of fulfilling the duties of his office, his place, except where other provision is made for filling the vacancy, shall be filled by a joint convention of the city councils until the next city election, and the qualification of a successor in office; and all officers elected by the qualified voters under this act, and not otherwise provided for, shall be subject to removal from office on impeachment for misdemeanor in office, or other sufficient cause, on charges to be preferred by the common council, and tried by the select council, in manner prescribed by the constitution and laws of this commonwealth as to the impeachment by the House of Representatives, and trial thereof by the Senate.

Oath of office.

Councils to fix compensation and prescribe duties of all officers.

Vacancies.

**SECTION 34.** That it shall be the duty of the city councils to provide, by ordinance, for the establishment and regulation of all the departments indicated by this act under proper heads, designate and appoint the heads thereof, and provide for the appointments of clerks and officers, all of whom shall serve for such periods as may be fixed by ordinance, subject to dismissal by the appointing power or superior officer, as such ordinance may provide; that all officers and boards acting under the authority of the said corporation, and entrusted with the expenditure of public moneys, shall be accountable therefor to the city councils, in such manner as they may direct; and it shall be the duty of the said councils to cause to be published annually, for the information of the citizens, a particular statement of the receipts and expenditures of all public moneys; and every officer or agent receiving moneys for the city, and payable to the city treasurer, shall give bond for the faithful performance of his duty, and shall be required to make return to the clerk of select council once in every month, if councils shall direct, under oath or affirmation, of each item of the moneys received by him, and immediately upon making such return, to pay the amount in his hands to the city treasurer; the said clerk of select council is hereby authorized to administer such oath or affirmation; and any person falsely making such oath or affirmation, or guilty of falsehood in any other oath or affirmation, by the provisions of this act, or by any ordinance of councils made in pursuance thereof, shall be guilty of perjury.

Councils to provide by ordinance for regulation of all the departments.

Annual statement of receipts and expenditures.

Councils may direct monthly returns by all officers receiving moneys.

**SECTION 35.** That the select and common councils shall have power, by ordinance, to borrow, for the use of the city of Reading, any sum or sums of money which they shall deem necessary, and to issue certificates of loan for the amounts so borrowed to the persons respectively lending the same; and said certificates, signed by the mayor and presidents of councils, sealed with the corporate seal of said city, and attested by the clerk of the select council, shall be binding and obligatory on

Councils empowered to borrow money and issue certificates of loan therefor.

**Exemption.**  
**Proviso.**

the said corporation ; and the money so borrowed shall be exempt from the payment of city tax : *Provided*, That the sums of money so borrowed shall not, in the whole, including the sums heretofore borrowed for the use of the said city, for the re-payment of which the faith of the city is now pledged, exceed the sum of seventy-five thousand dollars, nor to bear a greater rate of interest than six per centum ; and hereafter no money shall be borrowed on the faith and credit of the said city, unless the ordinance authorizing the same shall have been introduced at one stated meeting of the common council, and the draft thereof published in at least two of the newspapers of the city, for two weeks before the final consideration and passage thereof by the said common council ; and at any stated meeting of the select council, held at least one week after the final consideration of any such ordinance by the common council, the select council may consider and act upon any such ordinance ; but the select council shall not originate any ordinance for borrowing money ; and no loans shall be authorized without a vote of two-thirds of the whole number of the members of each council : *Provided also*, That it shall be lawful for councils to authorize, by joint resolution, temporary loans of money whenever they shall deem it necessary, not exceeding in the aggregate, at any one time, the sum of ten thousand dollars ; and no such loan shall be for a longer period than three months.

**Proviso.**

**Assessors, qualifications of.**

SECTION 36. That hereafter the qualified voters of each ward shall elect one person as assessor, for state, county and city purposes, who shall have and possess the qualifications of a member of the Senate ; and there shall be no assistant assessors elected in the said city ; so much of any act as authorizes the election of assistant assessors is hereby repealed, so far as the same may apply to the city of Reading. The several assessors, after being duly qualified, shall do and perform, within their respective wards, all the duties that, by the usages and laws of this commonwealth, are now enjoined upon the assessors and assistant assessors ; and after they shall have taken the names of the taxable persons, and an estimate of the real and personal estates of the inhabitants of the said city, they shall meet together as a board to equalize and fix a uniform standard and just valuation on the same ; and for neglect of duty, they shall be subject to the same penalties as now provided by law.

**Repeal.**

**Duties.**

**Assessment and collection of taxes.**

SECTION 37. That the councils of the city of Reading shall have power to provide for the assessment and collection of taxes, not exceeding one and a half per cent. upon the city valuation in any one year, on all persons, real and personal property, and all such other matters and things within said city, taxable for state and county purposes, for the payment of loans to support the government, and make the necessary improvements of said city ; and the assessors in the several wards shall perform the duties of city assessors in conformity with the provisions of this act, and that may be provided by ordinance of said city ; that all taxes assessed and levied upon real estate in pursuance of this act, and the laws and ordinances of said city, shall be a lien on such real estate from the time of such levy, and that the lien hereby created shall have priority to, and shall be fully paid and satisfied before any recognizance, mortgage, judgment,

debt, obligation or responsibility which the said real estate may become charged with, or liable to, from and after the passage of this act; nor shall the defendant or defendants, in any writ of *fiery facias*, *venditioni exponas* or *levari facias*, or other person, be entitled to claim any exemption under a levy and sale of any real estate charged with such tax against the allowance or payment of the same.

SECTION 38. That the annual assessments shall be completed on or before the fifteenth day of May, and upon the duplicates of city taxes on real estate having been made as may be directed by the councils, the same shall be placed in the possession of the city treasurer, who shall receive and collect said taxes until the first day of October, after which date the said duplicates shall be placed into the possession of the city solicitor, who shall proceed and cause the said taxes remaining unpaid to be registered in the name of the city of Reading, and against the person or persons charged in the duplicates with the same, or if any property has been transferred, upon which such tax has been assessed, against the person or persons who may have become the owner or owners of such property, in the office of the prothonotary of the county of Berks, who shall keep a separate book for that purpose, to be called register of taxes; and all taxes so registered shall be and continue liens on the real estate upon which they have been assessed, for the term of five years. The prothonotary shall be allowed and paid for each tax so registered a fee of twenty-five cents, which shall form a part of the expenses, and shall be paid by the person from whom the tax is due and owing. He shall also at all times, on demand make within the hours during which the office shall be open for the transaction of business, to make searches and furnish transcripts or extracts from the register of taxes aforesaid, for which he shall be allowed the usual fees.

SECTION 39. That the recovery may be had on claims for taxes registered in pursuance of this act, and the laws and ordinances of said city, in the court of common pleas for the county of Berks, by action of debt to recover a general judgment against the debtor or debtors, as is now provided by law, or to proceed thereon by *scire facias*, as in the case of mechanics' claims; and the claims so registered shall be *prima facie* evidence of the amount thereof, and of the same being due and owing, and judgment be entered by default therefor, unless the defendant or defendants shall file his or their affidavit of the nature of his or their defence, as required in other cases where the plaintiff has filed his copy of the cause of action in such court, the judgment and process thereon shall be, with the like effect, as in other cases: *Provided*, That where any real estate, subject to such lien, shall have been conveyed, and deed recorded after the assessment of the tax sued for, the present owner shall be included in the process; and if there be several owners of distinct portions of the premises, recovery shall be had under the same writ against their respective shares, according to a just ratable proportion of the tax, costs and expenses of collections; and if any such owner shall be omitted, he or they may be brought in by a rule of the court on him or them, to show cause why he or they shall not be made a party to such

Duplicates, relative to.

Registry of taxes

Mode of recovery against delinquents.

Proviso.

- Proviso.** suit; and on proof of service thereof, judgment may be entered against his or their share, by default of appearance or affidavit as aforesaid: *And provided*, That no such apportionment shall affect the personal liability of the owner at the time of the assessment or register for the whole amount of the tax, interest and costs, including the five per cent. commission to be paid for such collection.
- Collectors of tax on personal property, powers and duties of.** SECTION 40. That the councils of the city of Reading, at the first stated meeting in the month of April, annually, shall elect a tax collector or collectors to collect the city tax on personal property, and objects not hereinbefore provided for, who shall, on the delivery of the duplicate or duplicates to him or them respectively, proceed to collect the amount of such duplicate or duplicates from the persons therein respectively charged; and for which purpose he or they shall have all the power and authority now provided by law for the collection of state and county taxes; and if any person shall neglect or refuse to make payment of the amount of tax due by him within twenty days from the time of demand made, it shall be the duty of the officer holding the duplicate wherein such tax shall be charged, to levy such amount by distress and sale of the goods and chattels of such delinquent, giving ten days' public notice of such sale, by written or printed advertisements; and in case goods and chattels sufficient to satisfy the same, with the costs, cannot be found, such officer shall be authorized to take the body of such delinquent, and convey him to the prison of the county of Berks, there to remain until the amount of such tax, together with the costs and charges, shall be paid or secured to be paid, or until he shall be otherwise discharged by due course of law.
- Levy.** SECTION 41. That the councils of the city of Reading, within ninety days after the passage of this act, are hereby authorized and required to appoint a competent civil engineer, with such compensation as they may deem proper; and in case of a vacancy, the same shall be filled by the councils of said city, whose duty it shall be, as soon as the same can be done, to survey and mark the lines of all the streets and highways of the city now opened or intended to be opened for public use within the said city, and also survey and lay out the width and extension of the same, or such new streets, avenues and highways within the said city as the councils shall deem necessary for a regular and convenient town plan, and for the more equal distribution and ready discharge of the waters thereof, and to regulate the height, ascent and descent of said streets, avenues and highways, and of the gutters, sidewalks or footways thereof; and for that purpose the said engineer shall have full power and authority, with or without his assistant or assistants, to enter upon the land of any person or persons within the said city; and when the said survey and regulations shall be completed, the said engineer shall make, or cause to be made, duplicate
- Imprisonment.** drafts or plans thereof, with every position and explanation necessary for a full understanding of the same, distinctly designating where the new streets, avenues and highways shall hereafter be opened; and one of the said drafts or plans shall be returned to the councils, who shall keep the same in such place as they shall fix upon; and the other of the said drafts or
- Civil engineer to be appointed by the councils.**
- Duties of.**
- Duplicate drafts.**

plans shall be returned to the clerk of the court of quarter sessions of the county of Berks, to be filed in his office for public inspection and examination; and it shall be the duty of the said councils to give at least thirty days' previous notice in at least two of the public newspapers published in the said city, that on a certain day or days, to be appointed by the court, the said court will hear any objections that may be made thereto by any freeholder or citizen of the said city; and the said court shall, at the time appointed, adjudge and determine whether any, and what alterations shall be made therein, and shall direct the draft or plan, with such alterations as shall be made, to be recorded in the office of the clerk of said court, and thenceforth all the streets, avenues and highways, as therein contained, shall be forever deemed, adjudged and taken to be public highways; and the survey and regulations of the said streets, avenues and highways so returned and recorded shall be and remain unalterable; and in case the city councils, by themselves or their officers, shall deviate from the regulations of the streets, avenues and highways so as aforesaid established, and damages should accrue to the property of any person or persons in consequence thereof, the said city shall be liable for the payment of such damages; and all streets or highways not retained in the said draft or plan as such, shall be and the same are hereby vacated, and inasmuch as the public convenience will, for the present, be answered by a certain knowledge where, and in what manner, streets, avenues and highways will in future run; but as it may not be necessary immediately to lay all of them open, and in order to provide for the opening and widening thereof according to the draft or plan aforesaid, from time to time, as the increasing improvement of the city may require, it shall and may be lawful for the city councils, by joint resolution, or any six freeholders, by petition, to apply to the court of quarter sessions of the said county of Berks, who, after hearing the said application, and such of the freeholders through whose land such street, avenue or highway may pass, as shall offer objections thereto, to determine whether it be proper at the time to direct the opening of the same; and if the court shall be of opinion that the state of improvement or other necessities in the neighborhood is such as to require the opening thereof, they shall issue their warrant, directed to the commissioner of highways of said city, enjoining and requiring him to open such street, avenue or highway according to the said draft or plan: *Provided*, That no such street, avenue or highway so laid out shall be opened or appropriated to public use, until the owner or owners of the ground through and over which the same may pass shall have been paid the damage which shall have been ascertained as hereinafter provided; and it shall not be lawful for the court aforesaid to direct the laying out and opening of any street, avenue or highway within said city contrary to the provisions herein contained; and if any owner or owners of real estate, or his or their legal representatives and assigns, shall build any house or other building, within the line of any street, avenue or highway, as surveyed and marked on the draft or plan aforesaid, after the approval and recording of the same, such owner or owners, representatives or assigns, shall not be

Court to hear objections to survey and regulations.

Alterations.

Liability of city for damages.

Streets, avenues and highways, relative to.

Provided.



Powers and duties of mayor.

Council to fix number of police constables and watchmen.

Mayor to appoint and control the same.

Jurisdiction of mayor.

May take acknowledgments of deeds, &c.

Fees of, relative to.

**SECTION 22.** That the mayor of said city shall be the chief executive magistrate thereof, and shall be, *ex-officio*, a justice of the peace within the city. It shall be his duty to be vigilant and active in causing the laws of this commonwealth, and the laws and ordinances of said city, to be executed and enforced therein; and in order to enable him more effectually to preserve the peace and good order of the city, all the powers given to sheriffs of this commonwealth to prevent routs, riots and tumultuous assemblies are hereby conferred upon him. He shall also communicate to councils at the first stated meeting in the month of January of each year, and oftener, if deemed expedient, the condition of the city in relation to its government, finances and improvements, to recommend the adoption of all such measures as the business and interests of the city may, in his opinion, require. The councils shall fix the number of police constables and watchmen; and the mayor shall nominate, and by and with the advice and consent of the select council, appoint the said police officers and watchmen, and at his pleasure dismiss all or any of them, and in like manner all vacancies shall be filled. The police constables and watchmen shall obey the orders of the mayor, and make report to him; and which reports shall be laid before councils by him whenever required, and shall exercise a constant supervision and control over the conduct of the police constables and watchmen, and receive and examine all complaints preferred against them in the discharge of their duties, and report to councils.

**SECTION 23.** That the mayor of said city shall have power to try, judge, hear and determine all actions or prosecutions for penalties, fines or forfeitures imposed by virtue of the laws of this commonwealth, or by virtue of the laws and ordinances of the said city of Reading, as fully and in the same manner, and with the same rights and privileges as justices of the peace by the laws of this commonwealth now have or hereafter may have the power to do; and the said mayor shall have, hold, enjoy and exercise the criminal jurisdiction of a justice of the peace in regard to offences of whatever nature, as fully as the same is had, held, enjoyed and exercised by any justice of the peace of this commonwealth by virtue of the laws thereof. He shall also have power to commit to the prison of Berks county, for a term not exceeding thirty days, any dissolute person or persons who may be detected in reveling in the highways, committing any mischief, or otherwise behaving in a disorderly manner, to the disturbance or annoyance of the peaceable inhabitants of said city. He is also hereby empowered, during his continuance in office, to receive and take the acknowledgments of all deeds mortgages and other instruments of writing, as fully and effectually as the judges of the several courts of common pleas and justices of the peace of this commonwealth now have or may hereafter have, and also full power and authority to administer oaths and affirmations in all cases, matters and things whatsoever, as justices of the peace now have by virtue of their said offices, and if required, to use the official seal in attestation thereof; and shall receive the same fees for services rendered in the exercise of his jurisdiction, as are by law allowed to the justices of the peace of this commonwealth for similar services.

The said mayor shall have and keep a docket, in which he shall enter and record, or cause to be entered and recorded, all acts, process, judgments, orders and proceedings before him as aforesaid, in the same manner as is required of the justices of the peace of this commonwealth; the said docket of the mayor, and the entries and records therein, and transcripts thereof, certified by the said mayor under his seal, shall be proved, and be competent evidence for all purposes, in the same manner as the docket entries, records and transcripts of the justices of the peace of this commonwealth are or may be required to be proved, and are or may be competent evidence.

Docket, &c.

SECTION 24. That the city of Reading is hereby divided into two districts for the election of aldermen, as follows, namely: The First, Second and Third wards shall comprise the first district, and the Fourth and Fifth wards shall comprise the second district; and that each of said districts shall have two aldermen, who shall reside in their respective districts; and the aldermen who hold the said office at the passing of this act, shall continue in the same until the expiration of their respective terms, unless sooner vacated. They shall be elected in each district by the qualified voters thereof on the third Friday in March, on the expiration of the term or terms, or whenever a vacancy shall exist, by death, resignation, removal from the district or otherwise, and commissioned for the same term of years as is provided by the act of assembly, passed the twenty-first day of June, Anno Domini one thousand eight hundred and thirty-nine, entitled "An Act providing for the election of aldermen and justices of the peace," and the acts supplementary thereto; and the aldermen who shall be elected in pursuance of this act, and the acts herein referred to, shall give security as provided in the said acts, and to be subject to the same liabilities and penalties, to be removed from office in the same manner, and respectively shall have all the civil and criminal authority and jurisdiction, all the rights, powers and privileges now or which may hereafter be by law vested in the several justices of the peace of this commonwealth by the laws thereof, and be entitled to the same fees and perquisites, with the like right of appeal by the party or parties aggrieved from any judgment, order or decree of any such alderman or aldermen, to the court of common pleas for the county of Berks.

Districts for the election of aldermen, how comprised.

Each district to have two aldermen.

Election of.

Commission.

To give security, and be subject to.

Jurisdiction.

Fees.

SECTION 25. That all actions, prosecutions, complaints and proceedings for violation of the laws and ordinances of said city, and for fines, penalties and forfeitures imposed or enacted thereby, which shall be brought before the mayor, or any alderman or aldermen of the said city respectively, shall be instituted in the corporate name of the said city; those which shall be so brought for violation of an offence against the laws of the commonwealth relating to the said city, and for fines, penalties and forfeitures imposed and enacted thereby, shall be instituted in the name of the commonwealth, or as prescribed by the said laws of the commonwealth, and all other actions, prosecutions, complaints and proceedings so brought for fines, penalties or forfeitures imposed or enacted by the laws or statutes of this commonwealth, shall be instituted and conducted as provided by law; and all warrants, writs, orders and process in and con-

Prosecutions, complaints, &c., for violation of ordinances and regulations, proceedings therein.

cerning the said actions, prosecutions, complaints and proceedings, or in and concerning any criminal prosecutions, complaint, case or proceeding made and issued by the said mayor and aldermen respectively, shall be made, directed and issued to any of the police constables or other constables of the said city, who shall respectively serve, obey and execute the same anywhere within the said city or county of Berks, or in any of the cities or counties of this state, under the provisions of the act of assembly of this commonwealth, passed the sixteenth day of April, one thousand eight hundred and twenty-seven, entitled "An Act concerning backing of warrants by justices of the peace," or the same may be issued and served and executed anywhere in the said city and county, by special constables or other persons, as provided by law.

Appeal from  
judgment of  
mayor or alder-  
man, relative to.

Proviso.

Proviso.

Proviso.

Proviso.

SECTION 26. That if any person shall think himself aggrieved by any judgment against him as defendant, by the mayor or any alderman of the said city, in any action, prosecution or proceeding for any fines, penalty or forfeiture imposed or enacted by or under any law or statute of this commonwealth relative to the said city, or by or under any law or ordinance of the said city, such person may, if the said judgment shall exceed the sum of five dollars, exclusive of costs, appeal from the said judgment to the court of common pleas for the county of Berks: *Provided*, That such person shall enter into recognizance to the said city, with one or more sufficient sureties, whose sufficiency shall be approved of by the said mayor or alderman before the said mayor or alderman, in a sum sufficient to cover the said judgment, and all costs that have accrued or that may thereafter accrue in the said case, conditioned that such defendant shall prosecute his appeal with effect: *And provided*, That such appeal shall be taken, the recognizance entered into, and a certified transcript of the judgment and recognizance, to be furnished by the said mayor or alderman to the said defendant, on his demand therefor, shall be filed by the said defendant in the office of the prothonotary of the said court, within twenty days after the rendition of the said judgment. In case the said transcript shall not be so filed within the said time, the said mayor or alderman shall proceed in the said case as if no such appeal had been taken; and in case of the forfeiture or breach of the condition of the said recognizance, the same shall be brought in the corporate name of the said city, and recovered in an action of debt thereon, in the same manner as debts on contract of like amount are sued and recovered by the laws of this commonwealth: *Provided further*, That the said mayor or alderman may issue process and execution on the said judgment immediately on the rendition of the said judgment, and before the expiration of the aforesaid twenty days, unless an appeal shall at the time have been taken and the said recognizance entered into; the said process and execution to be stayed on the payment of the costs of said execution, on an appeal being taken, and recognizance entered into, and transcript filed as aforesaid; the proceedings on the said appeal, and on any judgment thereon in the said court, shall be by the said court, with like process, proceedings and writs of execution as directed or authorized by the acts of assembly of this commonwealth: *And provided*, That in case of

a judgment for the defendant by the said mayor or alderman in any such action or prosecution, instituted in the name of the said city, for a fine, penalty or forfeiture greater than the sum of five dollars, the said city shall have the same right of appeal as the defendant aforesaid, under the same terms and conditions, except entering into recognizance as aforesaid.

SECTION 27. That the qualified voters of the city of Reading shall, on the third Friday in March, one thousand eight hundred and sixty-one, and on the third Friday in March in every second year thereafter, elect a city treasurer, to serve for two years and from the Wednesday next succeeding such election, and until his successor shall be duly elected and qualified; and he shall have the same qualifications as is required for the office of select councilman. His election shall be determined upon by councils, in convention, on the Wednesday succeeding the election; and contested elections in relation to the office shall be proceeded with in the manner provided in the case of mayor; and any vacancy in said office of treasurer shall be filled by the city councils in joint convention, in like manner. He shall give bond to the city, conditioned for the faithful performance of his duties, in such amount as the city councils shall direct, and with such sureties as shall be by them approved; and shall, before he enters upon his office, take and subscribe an oath or affirmation, before the mayor, to support the constitution of the United States and of this commonwealth, and honestly to keep and account for all public moneys and property entrusted to his care, and discharge the duties of his office with fidelity. No money shall be drawn from the treasury of the city except the same shall have been previously appropriated by councils to the purpose for which it is drawn. The accounts to be kept by the said treasurer shall exhibit all the receipts and all the expenditures of the city in an intelligible manner, in which the particulars of said item of charge and discharge shall fully and precisely appear. The said treasurer shall keep the public moneys in such place and manner as the city councils shall direct, and shall verify his cash account at least once in every month, to the satisfaction of a standing committee of councils; and upon the affidavit of a majority of such committee of any default therein, the said treasurer may be suspended from office, and another appointed until the further action of councils; and the said treasurer shall, at the expiration of his term of office, deliver all moneys, books and papers in his hands, belonging to the said office, to his successor in office.

Election of city treasurer.

Official term and qualifications of.

To give bond, &c.

Mode of keeping accounts.

SECTION 28. That it shall be the duty of the city treasurer to act as receiver of taxes, as hereinafter provided; and upon the duplicate or duplicates of city taxes having been made out as may be directed by the city councils, the same shall be placed in the possession of the said treasurer, who shall receive and collect said taxes, and for that purpose shall have and exercise all the powers conferred by law in that behalf for the collection of state and county taxes; and if any taxes remain unpaid after the first day of October, in the year for which they are assessed and levied, the treasurer shall deliver the duplicate or duplicates to the city solicitor, who shall register the same, as hereinafter

Duties of city treasurer as receiver of taxes.

**Proviso.**

directed: *Provided*, That the standing committee appointed by the select and common councils shall have the right at all times to inspect the said duplicate or duplicates, while in the possession of the said treasurer, and have power to make such allowances or alterations in the same as they may deem necessary; and the said treasurer shall render a monthly account of such item of receipts unto the clerk of the select council.

**Auditors, their duties.**

SECTION 29. That the qualified voters of the city of Reading, on the third Friday in March, one thousand eight hundred and sixty-one, shall elect three reputable persons to serve as city auditors, one for one year, one for two years, and one for three years, and annually thereafter elect one person for the term of three years from the Wednesday succeeding the respective elections, to audit the treasurer's accounts at the end of the fiscal year, and at the close of his term, and perform such other duties as may be prescribed by law or ordinance; and their election shall be determined upon and vacancies filled in the same manner as is provided in the case of city treasurer.

**Constables.**

SECTION 30. That the qualified voters of the city of Reading shall, on the third Friday in March, one thousand eight hundred and sixty-one, and annually thereafter, elect two constables, who shall be qualified as the laws of this commonwealth require such officers to be, and shall, upon entering the requisite security, be commissioned by the court of quarter sessions of the county of Berks; they shall be under and subject to the same legal penalties and provisions, and exercise all the powers, and do and perform all duties that, by the usages and laws of this commonwealth, are enjoined upon such officers. All vacancies that may, from any cause, occur in the said office of constable, shall be filled by the court of quarter sessions of the said county of Berks.

**City solicitor, city regulator, commissioner of highways, and commissioner of markets and city property, to be elected by councils.**

SECTION 31. That the select and common councils, in joint convention, shall annually, at the stated meeting on the Wednesday next succeeding their election, elect, for the term of one year, a city solicitor, city regulator, commissioner of highways, commissioner of markets and city property, and such other officers as they shall provide for by ordinance, and may deem necessary for the good government and proper execution of the laws and ordinances of said city, and by joint resolution to dismiss and remove all or any officers elected or appointed by them, without the approval of the same by the mayor; and whenever a vacancy may occur in any of the offices elected or appointed by them, the same shall be filled in a similar manner.

**Powers of police constables and watchmen.**

SECTION 32. That the police constables and watchmen, after being duly qualified, shall have power, during their continuance in office, to make arrests, serve and execute all process issued by any officer having jurisdiction, and relating to the penal laws of this commonwealth, and the laws and ordinances of the said city, and to execute all process endorsed by any mayor, recorder, alderman or justice of the peace within this state. They shall have authority as conservators of the peace within the said city, and it shall be their duty to do and perform all acts and things which may be required by the laws and ordinances of the city, and shall also be allowed and entitled to the same fees as other constables.

**Fees of.**

**SECTION 33.** That all officers, either elected or appointed, and not otherwise provided for, shall be sworn or affirmed to support the constitution of the United States and of this state, and to discharge the duties of their office with fidelity; and the city councils shall fix the compensation and prescribe the duties of all officers of said city, in such manner as to carry out the purposes of this act, and as the welfare of said city may require, not inconsistent with the constitution and laws of the United States and of this commonwealth. Whenever any elective officer of said city shall die, or become incapable of fulfilling the duties of his office, his place, except where other provision is made for filling the vacancy, shall be filled by a joint convention of the city councils until the next city election, and the qualification of a successor in office; and all officers elected by the qualified voters under this act, and not otherwise provided for, shall be subject to removal from office on impeachment for misdemeanor in office, or other sufficient cause, on charges to be preferred by the common council, and tried by the select council, in manner prescribed by the constitution and laws of this commonwealth as to the impeachment by the House of Representatives, and trial thereof by the Senate.

Oath of office.

Councils to fix compensation and prescribe duties of all officers.

Vacancies.

**SECTION 34.** That it shall be the duty of the city councils to provide, by ordinance, for the establishment and regulation of all the departments indicated by this act under proper heads, designate and appoint the heads thereof, and provide for the appointments of clerks and officers, all of whom shall serve for such periods as may be fixed by ordinance, subject to dismissal by the appointing power or superior officer, as such ordinance may provide; that all officers and boards acting under the authority of the said corporation, and entrusted with the expenditure of public moneys, shall be accountable therefor to the city councils, in such manner as they may direct; and it shall be the duty of the said councils to cause to be published annually, for the information of the citizens, a particular statement of the receipts and expenditures of all public moneys; and every officer or agent receiving moneys for the city, and payable to the city treasurer, shall give bond for the faithful performance of his duty, and shall be required to make return to the clerk of select council once in every month, if councils shall direct, under oath or affirmation, of each item of the moneys received by him, and immediately upon making such return, to pay the amount in his hands to the city treasurer; the said clerk of select council is hereby authorized to administer such oath or affirmation; and any person falsely making such oath or affirmation, or guilty of falsehood in any other oath or affirmation, by the provisions of this act, or by any ordinance of councils made in pursuance thereof, shall be guilty of perjury.

Councils to provide by ordinance for regulation of all the departments.

Annual statement of receipts and expenditures.

Councils may direct monthly returns by all officers receiving moneys.

**SECTION 35.** That the select and common councils shall have power, by ordinance, to borrow, for the use of the city of Reading, any sum or sums of money which they shall deem necessary, and to issue certificates of loan for the amounts so borrowed to the persons respectively lending the same; and said certificates, signed by the mayor and presidents of councils, sealed with the corporate seal of said city, and attested by the clerk of the select council, shall be binding and obligatory on

Councils empowered to borrow money and issue certificates of loan therefor.

**Exemption.**  
**Proviso.**

the said corporation; and the money so borrowed shall be exempt from the payment of city tax: *Provided*, That the sums of money so borrowed shall not, in the whole, including the sums heretofore borrowed for the use of the said city, for the re-payment of which the faith of the city is now pledged, exceed the sum of seventy-five thousand dollars, nor to bear a greater rate of interest than six per centum; and hereafter no money shall be borrowed on the faith and credit of the said city, unless the ordinance authorizing the same shall have been introduced at one stated meeting of the common council, and the draft thereof published in at least two of the newspapers of the city, for two weeks before the final consideration and passage thereof by the said common council; and at any stated meeting of the select council, held at least one week after the final consideration of any such ordinance by the common council, the select council may consider and act upon any such ordinance; but the select council shall not originate any ordinance for borrowing money; and no loans shall be authorized without a vote of two-thirds of the whole number of the members of each council: *Provided also*, That it shall be lawful for councils to authorize, by joint resolution, temporary loans of money whenever they shall deem it necessary, not exceeding in the aggregate, at any one time, the sum of ten thousand dollars; and no such loan shall be for a longer period than three months.

**Proviso.**

**Assessors, qualifications of.**

SECTION 36. That hereafter the qualified voters of each ward shall elect one person as assessor, for state, county and city purposes, who shall have and possess the qualifications of a member of the Senate; and there shall be no assistant assessors elected in the said city; so much of any act as authorizes the election of assistant assessors is hereby repealed, so far as the same may apply to the city of Reading. The several assessors, after being duly qualified, shall do and perform, within their respective wards, all the duties that, by the usages and laws of this commonwealth, are now enjoined upon the assessors and assistant assessors; and after they shall have taken the names of the taxable persons, and an estimate of the real and personal estates of the inhabitants of the said city, they shall meet together as a board to equalize and fix a uniform standard and just valuation on the same; and for neglect of duty, they shall be subject to the same penalties as now provided by law.

**Repeal.**

**Duties.**

**Assessment and collection of taxes.**

SECTION 37. That the councils of the city of Reading shall have power to provide for the assessment and collection of taxes, not exceeding one and a half per cent. upon the city valuation in any one year, on all persons, real and personal property, and all such other matters and things within said city, taxable for state and county purposes, for the payment of loans to support the government, and make the necessary improvements of said city; and the assessors in the several wards shall perform the duties of city assessors in conformity with the provisions of this act, and that may be provided by ordinance of said city; that all taxes assessed and levied upon real estate in pursuance of this act, and the laws and ordinances of said city, shall be a lien on such real estate from the time of such levy, and that the lien hereby created shall have priority to, and shall be fully paid and satisfied before any recognizance, mortgage, judgment,

debt, obligation or responsibility which the said real estate may become charged with, or liable to, from and after the passage of this act; nor shall the defendant or defendants, in any writ of *feri facias*, *venditioni exponas* or *levari facias*, or other person, be entitled to claim any exemption under a levy and sale of any real estate charged with such tax against the allowance or payment of the same.

SECTION 38. That the annual assessments shall be completed on or before the fifteenth day of May, and upon the duplicates of city taxes on real estate having been made as may be directed by the councils, the same shall be placed in the possession of the city treasurer, who shall receive and collect said taxes until the first day of October, after which date the said duplicates shall be placed into the possession of the city solicitor, who shall proceed and cause the said taxes remaining unpaid to be registered in the name of the city of Reading, and against the person or persons charged in the duplicates with the same, or if any property has been transferred, upon which such tax has been assessed, against the person or persons who may have become the owner or owners of such property, in the office of the prothonotary of the county of Berks, who shall keep a separate book for that purpose, to be called register of taxes; and all taxes so registered shall be and continue liens on the real estate upon which they have been assessed, for the term of five years. The prothonotary shall be allowed and paid for each tax so registered a fee of twenty-five cents, which shall form a part of the expenses, and shall be paid by the person from whom the tax is due and owing. He shall also at all times, on demand make within the hours during which the office shall be open for the transaction of business, to make searches and furnish transcripts or extracts from the register of taxes aforesaid, for which he shall be allowed the usual fees.

Duplicates, relative to.

Registry of taxes

SECTION 39. That the recovery may be had on claims for taxes registered in pursuance of this act, and the laws and ordinances of said city, in the court of common pleas for the county of Berks, by action of debt to recover a general judgment against the debtor or debtors, as is now provided by law, or to proceed thereon by *scire facias*, as in the case of mechanics' claims; and the claims so registered shall be *prima facie* evidence of the amount thereof, and of the same being due and owing, and judgment be entered by default therefor, unless the defendant or defendants shall file his or their affidavit of the nature of his or their defence, as required in other cases where the plaintiff has filed his copy of the cause of action in such court, the judgment and process thereon shall be, with the like effect, as in other cases: *Provided*, That where any real estate, subject to such lien, shall have been conveyed, and deed recorded after the assessment of the tax sued for, the present owner shall be included in the process; and if there be several owners of distinct portions of the premises, recovery shall be had under the same writ against their respective shares, according to a just ratable proportion of the tax, costs and expenses of collections; and if any such owner shall be omitted, he or they may be brought in by a rule of the court on him or them, to show cause why he or they shall not be made a party to such

Mode of recovery against delinquents.

Proviso.



**Proviso.** suit; and on proof of service thereof, judgment may be entered against his or their share, by default of appearance or affidavit as aforesaid: *And provided*, That no such apportionment shall affect the personal liability of the owner at the time of the assessment or register for the whole amount of the tax, interest and costs, including the five per cent. commission to be paid for such collection.

**Collectors of tax on personal property, powers and duties of.** SECTION 40. That the councils of the city of Reading, at the first stated meeting in the month of April, annually, shall elect a tax collector or collectors to collect the city tax on personal property, and objects not hereinbefore provided for, who shall, on the delivery of the duplicate or duplicates to him or them respectively, proceed to collect the amount of such duplicate or duplicates from the persons therein respectively charged; and for which purpose he or they shall have all the power and authority now provided by law for the collection of state and county taxes; and if any person shall neglect or refuse to make payment of the amount of tax due by him within twenty days from the time of demand made, it shall be the duty of the officer holding the duplicate wherein such tax shall be charged, to levy such amount by distress and sale of the goods and chattels of such delinquent, giving ten days' public notice of such sale, by written or printed advertisements; and in case goods and chattels sufficient to satisfy the same, with the costs, cannot be found, such officer shall be authorized to take the body of such delinquent, and convey him to the prison of the county of Berks, there to remain until the amount of such tax, together with the costs and charges, shall be paid or secured to be paid, or until he shall be otherwise discharged by due course of law.

**Levy.**

**Imprisonment.**

**Civil engineer to be appointed by the councils.** SECTION 41. That the councils of the city of Reading, within ninety days after the passage of this act, are hereby authorized and required to appoint a competent civil engineer, with such compensation as they may deem proper; and in case of a vacancy, the same shall be filled by the councils of said city, whose duty it shall be, as soon as the same can be done to survey and mark the lines of all the streets and highways of the city now opened or intended to be opened for public use within the said city, and also survey and lay out the width and extension of the same, or such new streets, avenues and highways within the said city as the councils shall deem necessary for a regular and convenient town plan, and for the more equal distribution and ready discharge of the waters thereof, and to regulate the height, ascent and descent of said streets, avenue and highways, and of the gutters, sidewalks or footways thereof and for that purpose the said engineer shall have full power and authority, with or without his assistant or assistants, to enter upon the land of any person or persons within the said city and when the said survey and regulations shall be completed the said engineer shall make, or cause to be made, duplicate

**Duties of.**

**Duplicate drafts.** drafts or plans thereof, with every position and explanation necessary for a full understanding of the same, distinctly designating where the new streets, avenues and highways shall hereafter be opened; and one of the said drafts or plans shall be returned to the councils, who shall keep the same in such place as they shall fix upon; and the other of the said drafts or

plans shall be returned to the clerk of the court of quarter sessions of the county of Berks, to be filed in his office for public inspection and examination; and it shall be the duty of the said councils to give at least thirty days' previous notice in at least two of the public newspapers published in the said city, that on a certain day or days, to be appointed by the court, the said freeholder or citizen of the said city; and the said court shall, at the time appointed, adjudge and determine whether any, and what alterations shall be made therein, and shall direct the draft or plan, with such alterations as shall be made, to be recorded in the office of the clerk of said court, and thenceforth all the streets, avenues and highways, as therein contained, shall be forever deemed, adjudged and taken to be public highways; and the survey and regulations of the said streets, avenues and highways so returned and recorded shall be and remain unalterable; and in case the city councils, by themselves or their officers, shall deviate from the regulations of the streets, avenues and highways so as aforesaid established, and damages should accrue to the property of any person or persons in consequence thereof, the said city shall be liable for the payment of such damages; and all streets or highways not retained in the said draft or plan as such, shall be and the same are hereby vacated, and inasmuch as the public convenience will, for the present, be answered by a certain knowledge where, and in what manner, streets, avenues and highways will in future run; but as it may not be necessary immediately to lay all of them open, and in order to provide for the opening and widening thereof according to the draft or plan aforesaid, from time to time, as the increasing improvement of the city may require, it shall and may be lawful for the city councils, by joint resolution, or any six freeholders, by petition, to apply to the court of quarter sessions of the said county of Berks, who, after hearing the said application, and such of the freeholders through whose land such street, avenue or highway may pass, as shall offer objections thereto, to determine whether it be proper at the time to direct the opening of the same; and if the court shall be of opinion that the state of improvement or other necessities in the neighborhood is such as to require the opening thereof, they shall issue their warrant, directed to the commissioner of highways of said city, enjoining and requiring him to open such street, avenue or highway according to the said draft or plan: *Provided*, That no such street, avenue or highway so laid out shall be opened or appropriated to public use, until the owner or owners of the ground through and over which the same may pass shall have been paid the damage which shall have been ascertained as hereinafter provided; and it shall not be lawful for the court aforesaid to direct the laying out and opening of any street, avenue or highway within said city contrary to the provisions herein contained; and if any owner or owners of real estate, or his or their legal representatives and assigns, shall build any house or other building within the line of any street, avenue or highway, as surveyed and marked on the draft or plan aforesaid, after the approval and recording of the same, such owner or owners, representatives or assigns, shall not be

Court to hear objections to survey and regulations.

Alterations.

Liability of city for damages.

Streets, avenues and highways, relative to.

Proviso.

entitled to any damage which may be caused by the removal of such house or building for the opening or widening of any such street, avenue or highway; and the engineer aforesaid shall have power and authority to make such changes in the northern and eastern boundary lines of the city of Reading as may be deemed expedient to have the same conform with the streets, avenues and highways surveyed and laid out as aforesaid, and make drafts of such lines, and of the changes to the same, with the courses and distances as located by him, together with a report of his proceedings, and to file copies of such drafts and reports in the office of the clerk of the court of quarter sessions of the county of Berks; and the lines so located and marked shall be and remain the dividing lines between the city of Reading, and the townships of Alsace and Muhlenberg.

Assessment of  
damages, mode  
of.

SECTION 42. That upon the said draft or plan being recorded as provided aforesaid, it shall be the duty of the court of quarter sessions of the county of Berks to appoint six discreet and disinterested freeholders, neither of whom shall reside or own real estate within the said city, who, being first sworn or affirmed, shall inquire what damages the owner or owners of lands, house or houses, or other property, shall or may sustain by reason of the same being taken, used and appropriated for the use of public streets, avenues or highways, according to the said draft or plan; and it shall be the duty of the said freeholders, in assessing damages, to consider the advantages which may accrue to the owner or owners of such lands, house or houses, or other property, by reason of opening such street, avenue or highway. That upon the return of the valuation and assessment of damages as aforesaid, and the approval of the same by the said court, the same shall be the damages that the owner or owners aforesaid, or his or their legal representatives and assigns, shall be entitled to for the taking of such ground or other property, and which shall be paid out of the treasury of the county of Berks: *Provided*, That no damage shall be paid until it shall have been ordered as hereinbefore provided to open or widen said streets, avenues or highways, or any thereof, and until which time the owner or owners of property shall enjoy the use of the same, subject to the provisions and restrictions contained in this act: *Provided also*, That if the damages shall not be paid within three months next from and after any street, avenue or highway shall have been ordered to be opened by the court aforesaid, the owner or owners may proceed to collect the same as judgments are now collected under the laws of this commonwealth, by execution or executions issued thereon against the said county of Berks.

Proviso.

Proviso.

Councils to have  
control over pri-  
vate alleys.

To be kept in or-  
der at expense of  
property owners.

SECTION 43. That the councils of the city of Reading shall have jurisdiction and control over private alleys within the said city, so as to have the same cleansed and kept in order, graded and provided with gutters or sewers, the expense whereof to be reimbursed to the said city by the owners of the property having the right of access to, or passage along the same, in such proportions as may be directed by the said councils, the same, in case of non-payment, to be recoverable by the said corporation by suit before the mayor or an alderman, as debts of like amount are by law recoverable.

**SECTION 44.** That the councils of the city of Reading shall have power, by ordinance, to determine the width of the sidewalks or footways of the streets, avenues and highways within the limits of the said city, and to require and direct the curbing and paving, recurring and repaving and repairing thereof by the owner or owners of lots or real estate fronting or abutting thereon; and on the failure or neglect of any person or persons owning lots or real estate as aforesaid to curb and pave, recurb and repave or repair the sidewalks or footways in front of his, her or their lot or lots, or real estate, agreeably to the requisitions of such ordinance or ordinances, or contrary to the regulations of the city, as the same may be established, the commissioner of highways of the said city shall cause the same to be curved and paved, recurbed and repaved or repaired at the expense of the said city, and the owner or owners of the said lot or lots, or real estate, shall be liable to repay the expenses thereof to the said city; and it shall be lawful for the said city, by their officers, to file their lien for the same in the court of common pleas for the county of Berks, which shall have priority to any mortgage, judgment, recognizance or liability to which the said lot or lots, or real estate, may become liable, and the amount secured thereby may be recovered by *scire facias*, as debts are recoverable under the mechanics' lien laws of this commonwealth, in the corporate name of the said city; and no defendant or defendants, in any writ for the sale of such lot or lots, or real estate, or other person, shall be entitled to claim any exemption against the allowance or payment of the amount of any such lien and costs thereon: *Provided*, That such lien shall be filed within sixty days after such expense is incurred by the said city, and recite the name or names of the owner or owners, or reputed owner or owners of such lot or lots, or real estate, and the occupier or occupiers thereof, if there be any.

Width of sidewalks, footways, curbing, paving and repairing the same, how regulated.

Expense of.

Lien.

Proviso.

**SECTION 45.** That all writs of *scire facias* on claims for taxes, or liens filed for curbing, paving, repaving and repairing of the sidewalks or footways of the said city, as hereinbefore provided, shall be served by the sheriff or coroner of the county of Berks, by posting a true and attested copy of the writ on a conspicuous part of the premises therein described, and by publishing a brief notice thereof in two weekly newspapers in said city, for two weeks before the return day; on which service being made, the plaintiffs in such suits may proceed to recover judgments, as aforesaid; for want of an affidavit of defence or otherwise, such claims and liens may, in suits thereof, be read in evidence of the facts therein set forth; and no plea alleging non-joinder or mis-joinder of the parties, no plea averring want of notice to curb, pave, repave and repair any such sidewalk or footway, no plea touching the rates or proportion of contribution among parties jointly interested, nor any plea touching the question of ownership, shall be allowed in any such action.

Legal proceedings in cases of claims for taxes or liens filed.

**SECTION 46.** That it shall and may be lawful for the councils of the city of Reading, from time to time, by ordinance, to make and establish such and so many rules and regulations as to them may seem expedient for the better regulation of porches, porticoes, door steps, railings, bulk or jut windows, areas, cellar doors and cellar windows, or other device or thing projecting

Councils may make rules and regulations.

over, into, or otherwise occupying the sidewalks or footways or other portion of any of the streets, avenues and highways, and for the regulation of the foundation and front walls of buildings, party walls and partition fences, within said city.

**Market houses.**

SECTION 47. That the councils of said city shall provide for the erection of market houses and places for markets, and the renting of the same; to make such and so many laws and regulations as they may judge proper for the regulation of the markets, and provide for the regulation of weights and measures, in accordance with the standard weights and measures of this commonwealth, within the said city; and the said councils may provide for the licensing, regulating and restraining of auctions, brokers, pawnbrokers and theatrical or other public amusements within the said city, under such pains and penalties as shall, from time to time, be ordained and established; and shall also have power to provide for the taxing or licensing, regulating and restraining of dogs from going at large or loose within the said city, and for destroying the same; all dogs for which a tax or license has been paid, shall be considered as personal property for the time such tax or license shall have been paid, and the owners thereof shall be entitled to all the rights and privileges in relation to the same, as in other cases of personal property.

**Police and fire departments may be organized and regulated by councils.**

SECTION 48. That the councils of the city of Reading shall be and they are hereby authorized and directed to organize a police department in and for the said city, and may organize a fire department subordinate to or independent of that of police, and to make, ordain and establish all needful laws and ordinances for the regulation thereof, and for the preservation of the public peace, the suppression of riots and disturbances, and for the extinguishment of fires, and the protection of property thereat; and for this purpose the said councils shall be and hereby are vested with ample power and authority in the premises.

**Lock-up house.**

SECTION 49. That the councils of the city of Reading shall build, or otherwise provide, a suitable lock-up or station house in some convenient part, and at the expense of said city, to be used as a place of security for the detainer and confining of vagrants and persons arrested by the police officers, and for the temporary detention of persons committed by the mayor or any of the aldermen, on criminal charges and breaches of the peace, and violation of the ordinances of said city, for which such person or persons can be lawfully committed to the prison of Berks county, until they shall be so committed or discharged according to law; but no person shall be detained in the said lock-up or station house for a longer time than twenty-four hours, except upon the order of the mayor or an alderman who may commit such persons in pursuance of law: *Provided*, That the expenses of committing and keeping any person or persons in said lock-up or station house, on charges of any indictable offence, shall be paid by the county of Berks, on the presentation of the accounts of the same to the commissioners of the county.

**Proviso.**

**Duty of sheriff or keeper of the Berks county prison.**

SECTION 50. That the sheriff or keeper of the Berks county prison or jail is hereby enjoined and required to receive and keep in safe custody, in the prison or jail of said county, until legally discharged therefrom, any person who may be commit-

ted by virtue of lawful process from the mayor or any alderman of the said city, in the manner and under the same penalties as if such person had been committed by the court of quarter sessions, or any judge thereof; and any and all neglect of duty or willful misbehavior in the said sheriff or keeper of the said prison or jail towards such prisoners, or any of them, shall be and the same is hereby made cognizable and punishable as a like neglect of duty, or a like willful misbehavior in the said sheriff or keeper of the said prison or jail towards prisoners committed by any judge or justice of the peace of the said county, is or would be cognizable and punishable.

SECTION 51. That the several departments of said city shall annually, on or before the last stated meeting in the month of January, present estimates to councils of the probable amount of receipts, and of the amount that in their judgment will be required, during the current fiscal year, for the public service in the several departments, respectively; and the said councils shall immediately thereafter proceed and appropriate the public moneys, by ordinance, to the several departments, for the current fiscal year, for the payment of loans to meet the expenses of the city, and the making of such improvements as they may deem necessary; and the amounts so appropriated shall be disbursed in such manner as councils may direct, from time to time, by joint resolution, during the year.

Estimates of probable receipts and expenses to be presented to councils by the several departments.

SECTION 52. That hereafter no railroad company, whose road does or shall terminate within or pass through the city of Reading, shall have the right or power to locate and construct that part of said road which shall extend within the limits of said city, without first submitting the plans and surveys thereof, exhibiting the grades and routes to the city councils, who shall have the power to conform the same, as far as may be practicable, to the general plan and regulations of said city, as adopted at the time; and all charters authorizing the construction of any railroad within said city, shall be taken to be subject to the above restriction; nor shall any such company occupy any street, avenue or highway within said city, without the permission of the councils first had and obtained: *Provided*, That this shall not be construed to apply to any railroad already graded, nor the West Reading railroad, or laid with rails in said city, unless the route or grade thereof shall be altered.

Railroad companies subject to certain restrictions.

*Proviso.*

SECTION 53. That the city of Reading shall hereafter constitute one school district, to be termed the Reading school district; and all the real and personal property now belonging to the several wards, for school purposes, shall be the common property of said district, and likewise the indebtedness of the said wards shall become the common debt of the district; and the members of the board of controllers for the time being shall have power to levy and collect taxes, and the same rights and powers in relation to the said real and personal property, and property which may be acquired hereafter, as is now by law conferred upon the school directors of the several districts of this commonwealth; and they shall govern and manage the public schools as is now provided by law for the continuance of a system of education by common schools; that the qualified voters of each ward of the city of Reading shall, on the third

One school district, provisions relative to.

- Friday in March, one thousand eight hundred and sixty-one, and annually thereafter, elect two persons to serve as members of the board of controllers, for the term of three years; and all vacancies which may happen in the said board as hereby constituted, shall be filled in the same manner as now provided by law: *Provided*, That the present members of the board whose terms shall not expire on the third Friday in March, one thousand eight hundred and sixty-one, shall continue members of said boards until the expiration of their respective terms, unless sooner vacated by death, resignation or otherwise: *Provided also*, That the portion of the annual appropriation of the state for the support of the common schools, due to the several wards of the city of Reading, shall be paid into the treasury of the board of controllers: *Provided further*, That each of such qualified voters shall vote for one person as a member of the said board of controllers; and the two persons having the greatest number of votes for members of said board of controllers, shall be declared to be elected members of said board of controllers**
- Salaries.** SECTION 54. That no salary of any officer to be elected according to the provisions of this act, shall be increased or reduced by any act or ordinance, to take effect during the term for which he shall have been elected; and in all cases where the salary of any officer shall not be fixed by law, it shall be fixed by ordinance of the city councils.
- Fine in case of refusal to take office.** SECTION 55. That if any person elected to any office herein provided, who shall refuse to take upon himself the duties of such office, shall forfeit and pay the sum of twenty-five dollars, to be recoverable before the mayor or any alderman, and paid into the treasury of said city, unless the same be remitted by the city councils, who are authorized, upon sufficient cause shown, by joint resolution, to remit fines and penalties imposed on persons by virtue of the laws and ordinances of the said city; and no person shall be incompetent from being a judge, juror or witness in any suit for or against the said city, in consequence of such person being a citizen or officer of the said city.
- Fines may be remitted.**
- Property transferred to and vested in the city of Reading.** SECTION 56. That all property and estates whatsoever, real, personal and mixed, of the mayor, aldermen and citizens of Reading, are hereby severally and respectively transferred to and vested in the corporation or body politic of the city of Reading, and their successors, the said city to have and to hold the same to and for the use and benefit of the said city and its citizens or inhabitants forever; and all persons now holding offices under the present charter, shall hold their offices as they now may or can do by law, until the officers provided for in this act are duly elected and qualified under the provisions of this act; and as soon as this act shall go into operation, all suits, prosecutions, debts and claims whatsoever, to which the mayor, aldermen and citizens of Reading shall be a party, shall, by force thereof, become transferred to the said city, which, in all suits now pending, shall be substituted as party therein, and be under the management and control thereof, as fully and completely as if no alteration had been made in the said charter; and all contracts, claims and demands, of whatsoever nature, now existing, and whether the same be performable or payable presently or in
- Officers.**
- Suits, debts, claims, &c., transferred.**

the future by the said the mayor, aldermen and citizens of Reading, shall, by force and virtue of this act, be fulfilled by and be recoverable from or payable by the city of Reading.

SECTION 57. That as often as any doubts shall arise touching the construction of this act, the same shall, in all courts of law and equity and elsewhere, be construed and taken most favorably for the said corporation: *Provided*, That this act, and the powers and authorities herein vested in the said city, shall not be impaired, affected, defeated or destroyed by any neglect or omission to appoint all or any of its officers at the time or times allotted for the same; and in case of any such neglect or omission, the mayor of the said city shall forthwith take all necessary measures to cure and supply such defects and omissions, giving due notice thereof. Construction of this act. *Provide*.

SECTION 58. That all acts and parts of acts inconsistent with this act, are hereby repealed: *Provided however*, That the repeal of the said acts shall not affect any act done, or any right accruing or accrued or established, or any suit or proceeding had or commenced in any civil case before the time of the repeal; and that no offence committed, and no penalty or forfeiture incurred under the acts hereby repealed, shall be affected by the repeal; and that no suit or prosecution pending at the time of repeal, for any offence committed, or for the recovery of any penalty or forfeiture incurred under the acts hereby repealed, shall be affected by such repeal: *Provided also*, That the ordinances now in force in said city shall continue in force, so far as the same are not inconsistent with this act, until the same shall be repealed, altered or supplied, under the authority given to the councils of the said city: *Provided further*, That the notice given for the election to be held on Friday, the fifteenth day of March, A. D. eighteen hundred and sixty-one, shall be deemed and taken as sufficient notice, under this act, for said election. Repeal. *Provide*. *Provide*.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 109.

## A N A C T

To fix the place of holding the Elections in the borough of Elizabethtown, Lancaster county.

WHEREAS, 'The third election district of Lancaster county has lately had two other election districts framed out of it:

*And whereas, 'The people of the borough of Elizabethtown, part of the said third election district, by reason of such change, are left without any authorized place wherein to hold the ensuing election, on the fifteenth instant; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the next election, on the fifteenth day of March, one thousand eight hundred and sixty-one, in the borough of Elizabethtown, shall be held at the public house of Abraham Greenawalt, in said borough, and thereafter, until changed by a vote of the people of said election district, and that the officers duly elected at the last annual spring election for that purpose shall hold said election.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 110.

## A N A C T

Reviving the Warrants to Peter Swoope, a Collector of Taxes in the borough of Huntingdon, Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the warrants issued to Peter Swoope, of the borough of Huntingdon, in the county of Huntingdon, for the collection of school, borough and state, county and military taxes, dated re-*

spectively the seventeenth day of July, one thousand eight hundred and fifty-seven, the twelfth day of September, one thousand eight hundred and fifty-seven, and the twenty-fourth day of June, one thousand eight hundred and fifty-eight, be and the same are hereby revived and continued in full force and virtue for the space of one year from and after the passage of this act.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 111.

## AN ACT

To incorporate the Philadelphia Turngemeinde, (Turner Society.)

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Barnhard Sprungk, Anson Vogt, Victor Kalck, Israel Kohn, William Wunderlich, Otto Fischer, William Kayser, Lorenz Lang, Daniel Metzger, Nicholaws Kalck and Conrad Hausmann, and all persons who are now or who may be hereafter associated with them, and their successors, are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the Philadelphia Turngemeinde; and by that name shall have perpetual succession, and shall be able to sue and to be sued, plead and be impleaded, defend and be defended, in all courts of law or equity within this commonwealth or elsewhere; and also to take and hold, either by gift, grant, devise or lease, any real estate, and by gift, grant, bargain and sale, will or bequest, any goods and chattels, sum or sums of money, from any person or persons, for the use of the said corporation; and also to sell and convey, and to mortgage all or any part of the real estate held by the said corporation: *Provided however,* That the clear yearly income of the real estate held by the said corporation shall not exceed the sum of five thousand dollars.

Corporators.

Style.

Privileges.

May sell and mortgage real estate.  
Proviso.

SECTION 2. The object of the said corporation shall be the intellectual and physical improvement of the members, by forming and keeping up a library, by establishing schools, and by furnishing instruction in gymnastic exercises.

Objects.

**Qualification of members.** SECTION 3. The members of this corporation shall be male persons of full age, and citizens of the commonwealth of Pennsylvania. The rights and duties of the members shall be fixed by the by-laws.

**Officers and teachers, duties of.** SECTION 4. The management of the affairs of the corporation shall be transacted by a board of managers, which shall consist of a president, a vice president, two teachers of gymnastics, two superintendents, a treasurer, a librarian, and two secretaries. Every officer must be able to speak fluently the German language. The rights and duties of the officers, their election, and their term of office, shall be fixed by the by-laws.

**By-laws.** SECTION 5. The members of the corporation shall be entitled to make, alter and rescind by-laws, rules and regulations, not inconsistent with the provisions of this charter, or with the constitution and laws of this commonwealth.

**Board of managers.** SECTION 6. Until an election of officers can take place, the board of managers of this corporation shall consist of the following persons: Anson Vogt, William Wunderlich, Otto Fischer, William Kayser, William Foehl, Israel Kohn, Lorenz Lang, Victor Kalck, Edward Scherer and Edward Thiery.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 112.

## AN ACT

To change the Name of Ben Welch.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Benjamin Welch, of the city of Philadelphia, be and he is hereby authorized to change his name to Ben Garretson Welch, and shall henceforth be called and known by the name of Ben Garretson Welch, and by that name shall be able and capable in law to sue and be sued, grant, receive, take and inherit any estate, real or personal, and to do all other legal acts as effec-

tually, to all intents and purposes, as he could have done by his former name, if no change had been made therein.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 113.

## AN ACT

To incorporate the Sonora Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That John M'Arthur, junior, Washington Keith, William P. Chandler, Thomas T. Butcher, George R. Berrill, James A. M'Gowen, Lewis A. Truefitt and David W. Bradley, their associates and assigns, be and they are hereby created a body politic and corporate, by the name, style and title of the Sonora improvement company, with a capital of one hundred thousand dollars, with power to increase the same to the extent which the true object and intention of this act may require, shall have perpetual succession, and shall be capable of buying, selling, leasing and improving lands in New Mexico, and to obtain minerals therefrom, or any other valuable substance whatever, by mining, or working, or otherwise, to erect houses, mills and manufactories thereon, and to use and work the same, and to dispose of the product of all such lands, mines, minerals, manufactories, mills and privileges as may be to the interest of said company.*

SECTION 2. That said company shall have the power of making and establishing such by-laws as they may deem necessary or expedient to enable them to carry out the object of this corporation, and such by-laws to alter and amend, or repeal, at their pleasure; and they shall have the power to issue certificates of stock or bonds representing the value of said property, in such form and manner as the by-laws may determine, and to have and use a common seal, and the same to alter and amend at pleasure.

SECTION 3. That the corporators named in this act shall elect, at their first or some subsequent meeting, five of their number to serve as directors of this company, a majority of whom shall

- Quorum.** be a quorum for the transaction of business, until the time which the by-laws shall prescribe for another election, or until their successors shall have been chosen. They shall have the power of filling all vacancies in their board, whether caused by death, resignation or otherwise.
- Vacancies.**
- Officers.** SECTION 4. That at the first meeting of the board of directors, or at some subsequent meeting, they shall elect one of their number to serve as president, and shall appoint such other officers as may be deemed necessary.
- Tax on capital stock to be paid.** SECTION 5. That said company shall pay into the treasury of the commonwealth a bonus or tax of one-half per centum on its capital stock.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 114.

## A N A C T

To authorize the Minister, Trustees, Elders and Deacons of the German Reformed Congregation in the city of Philadelphia, to sell certain Ground Rents.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the minister, trustees, elders and deacons of the German Reformed congregation of the city of Philadelphia, in the province of Pennsylvania, be and the same are hereby authorized to grant, bargain and sell, in fee simple, and without liability of the purchasers to see to the application of the purchase money, to such person or persons, and for such prices as they may see proper, those two certain yearly ground rents of one hundred and thirty-three dollars and thirty-three and one-third cents each, payable by George Chandlee, his heirs and assigns; one of them issuing out of a lot of ground on the west side of Seventeenth street, thirty-seven feet four inches south of Cherry street, in the city of Philadelphia, eighteen feet eight inches in front by ninety feet in depth; the other of them out of a lot on the west side of said Seventeenth street, one hundred and forty-nine feet four inches south of said Cherry street, eighteen feet eight inches

in front by ninety feet in depth ; the vendee or vendees to hold the same, to them, their heirs and assigns, in fee simple, forever.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 115.

## AN ACT

Supplementary to the act relative to the Lancaster County Prison, passed February nineteenth, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the inspectors of the Lancaster county prison, or any four of them, shall have power, at each of their stated monthly meetings, to remove and send such and so many of the vagrants as may, at the time of such meetings, be in confinement in said prison, as they shall deem to be paupers, to the poor and house of employment of Lancaster county, there to be detained by the officers thereof until the expiration of the respective sentences, and to be dealt with as other inmates remaining therein.*

*Inspectors of prison empowered to send vagrants to poor house.*

SECTION 2. That the said inspectors, or any four of them, shall have power, at each of their stated monthly meetings, to remove and send such persons as may, at the time of such meetings, be in confinement in said prison, who shall be insane or idiotic, to the lunatic department of said poor and house of employment, there to be detained by the officers thereof until the expiration of their respective sentences, and according to the terms of the same, and to be dealt with as other inmates therein confined.

*May also send insane or idiotic persons.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 116.

## A N A C T

Relative to the Collection of Taxes in the city of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the commissioners of Lancaster county shall appoint two collectors of taxes for the city of Lancaster; one for the North-West and South-West wards, and one for the North-East and South-East wards of said city.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 117.

## A N A C T

To ratify the Charter of the Hayes Mechanics' Home.

WHEREAS, Ferdinand J. Dreer, George W. Simons, Samuel Sears, Dundas T. Pratt, James E. Caldwell, Frederick C. Brightly, Lewis E. Wells and James D. Anderson were, on the twenty-first day of June, one thousand eight hundred and fifty-eight, incorporated under the name, style and title of the Hayes Mechanics' Home, for the purpose of founding a home for disabled, aged or infirm and deserving American mechanics, and with the intention of carrying into effect the charitable objects provided for by the last will and testament of George Hayes, deceased, late of the city of Philadelphia, at the instance of the said Lewis C. Wells, the acting executor of the said George Hayes, deceased:

*And whereas, The said corporation are desirous that their charter should be ratified and confirmed by an act of the general assembly; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the charter of the said the Hayes Mechanics' Home, as enrolled in the office of the secretary of the commonwealth in charter book, volume number twenty-eight, pages ninety, ninety-one and ninety-two, be and the same is hereby confirmed and ratified; and that the corporators therein named shall be and constitute a corporation or body politic in law, in accordance with the terms of the said charter; and that the said corporation shall have power to take and hold the real and personal estate devised and bequeathed by the said last will and testament of the said George Hayes, deceased, for the purpose of founding and supporting, or uniting in the support of any institution that may be then founded to furnish a retreat and home for disabled or aged and infirm and deserving American mechanics.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 118.

## AN ACT

To amend the Charter of the Presbyterian Church of Frankford, approved the ninth day of April, Anno Domini one thousand eight hundred and eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of trustees of the Presbyterian church of Frankford, in the county of Philadelphia, and their successors in office, shall have power to release and convey, by deed of absolute assurance in perpetuity, lots of moderate and sufficient size for burial purposes, in the grounds now belonging to the said church: *Provided,* That the same shall be granted only to pew-holders or members of the congregation, or to persons interested, by reason of relationship, to the dead interred in the said grounds: *And provided further,* That no grave now occupied in the said grounds shall be disturbed, or shall ever be alienated from the possession of the heirs or legal representatives of the persons therein buried.

Board of trustees  
empowered to  
convey lots for  
burial purposes.

*Provide.*

*Provide.*

SECTION 2. That the lots so conveyed to individual proprietors shall be exempt from assessment, and shall not be liable to be sold upon execution under any judgment or decree of court, or under any assignment for the payment of debts.

Lots exempt from  
assessment, and  
not be sold upon  
execution.



**No public way through grounds.** SECTION 3. That no public way, street or road shall ever be laid out or opened through or upon any part of the said burial grounds belonging to the said church.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 119.

## A N A C T

To fix the Boundaries of the borough of Mechanicsburg.

**Preamble.**

WHEREAS, The borough of Mechanicsburg, in the county of Cumberland, has laid out and procured a plot or draft to be made of the boundaries, streets, lanes and alleys of the said borough, all of which are distinctly marked and laid down in the said plot; and inasmuch as the said boundaries include a small amount of territory which is not embraced in the decree of the court which enlarged the same, and as there are not inhabitants within the territory thus embraced who can petition the court to include it; therefore,

**Boundaries defined.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the territory included within the following lines be and the same is hereby constituted the borough of Mechanicsburg, to wit: Beginning at a white oak on land of Christian Hartzler; thence north sixty-nine and one-half east three hundred and sixty perches to a stone; thence south twenty and one-half east one hundred and eighty-six perches to a stone; thence south sixty-nine and one-half west three hundred and sixty perches to a stone; thence north twenty and one-half west one hundred and eighty-six perches to the place of beginning.

**Streets, lanes and alleys established.**

SECTION 2. That the streets, lanes and alleys of the said borough, as laid out, run, marked and designated in a plot thereof made by Abraham Lamberton, Esq., dated the tenth December, one thousand eight hundred and sixty, be and the same are hereby declared to be the lawful streets, lanes, alleys and public highways of the said borough of Mechanicsburg, as fully and amply, and with the same force and effect, as if they had been established under the provisions of the act of the third April,

one thousand eight hundred and fifty-one: *Provided however, Proviso.*  
That with regard to any street, lane or alley which has not already been opened, the same shall not be opened over the private property of any individual, until the said borough shall have first proceeded, under the provisions of the act before recited, to ascertain the amount of damage to which he may be entitled, or contribution to which he shall be subject.

SECTION 3. That nothing contained in this act shall be construed to take from the said borough any of the privileges or provisions of the act of the third April, one thousand eight hundred and fifty-one, which now govern it. *Reservation.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 120.

## A SUPPLEMENT

To an act to encourage the destruction of Noxious Animals in certain counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the bounty fixed in an act, entitled "An Act to encourage the destruction of noxious animals in certain counties," approved the fourteenth day of February, Anno Domini one thousand eight hundred and sixty, shall be one dollar for the scalp of a full grown fox; for the scalp of a full grown wild cat, one dollar; for the scalp of a full grown skunk, fifty cents; for the scalp of a full grown mink, fifty cents; and so much of any act as is hereby altered, is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 121.

## AN ACT

To extend the provisions of an act relative to Cemeteries and Burial Places in the county of York to the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relative to cemeteries and burial places in the county of York," approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-seven, be and the same are hereby extended to the city of Philadelphia.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 122.

## AN ACT

To authorize the erection of a Lock-up House in the borough of Summitville, in the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Summitville, in the county of Cambria, be and are hereby authorized and empowered to erect a lock-up house in said borough, and to appropriate the same for the security and temporary detention of persons committed by justices of the peace or burgess of said borough, for any violation of the laws of this commonwealth, or of the ordinances of said borough, for which such person or persons could be lawfully committed to the common jail of said county, there to be kept until such offender or offenders can be removed to the common jail of said county, if committed for an indictable offence: *Provided,* That no person shall be confined for a longer period than forty-eight hours at any one time, in said lock-up house, except such person be

Burgess and town  
council author-  
ized to erect  
lock-up.

Purposes of.

Provided.

charged with an indictable offence, and it be necessary to detain such person or persons for further examination.

SECTION 2. That the legal fees for the arrest and commitment <sup>Fees for arrest,</sup> and safe keeping of any person or persons in said lock-up house, <sup>&c.</sup> on a charge of any indictable offence, shall be taxed by the proper authority, and paid by the prosecutor or defendant, or the said county of Cambria, as in other cases provided.

SECTION 3. That the burgess and town council of the said <sup>Expense of erection and services</sup> borough, or a majority of them, may appropriate and pay for <sup>of keeper to be</sup> the erection of said lock-up house, and shall appoint a proper <sup>paid by burgess</sup> person to keep said lock-up house, and pay for such services <sup>and town council</sup> from time to time, whatever the said burgess and town council, or a majority of them, may deem just and proper; said sums to be paid out of the funds of said borough: *Provided, That* <sup>Provide.</sup> the cost of said lock-up house shall not exceed the sum of three hundred dollars.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 123.

## AN ACT

Authorizing the Auditor General and State Treasurer to examine the claim of George Jordon.

WHEREAS, George Jordon, of the city of Philadelphia, and formerly an employee of this commonwealth, was very severely injured, without fault of his own, while in the discharge of his duty at the Pequea bridge, on the Columbia railroad; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized to examine the claim of George Jordon against the commonwealth, and report to the legislature at this session.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 124.

## AN ACT

To incorporate the Irvine and Tidioute Turnpike and Plank Road Company.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
- Corporators.** C. B. Curtis, Arthur M'Gill, Griffin Brown, D. C. Salisbury, W. S. Cohell, James Patterson, Robert H. Morrison, Samuel Grandin, and such others as may hereafter become associated with them, are hereby declared to be a body corporate, in deed and
- Style.** in law, by the name, style and title of the Irvine and Tidioute turnpike and plank road company; and by that name shall have
- Privileges.** perpetual succession, and all the privileges of a corporation, and capable of holding their capital stock, and enlarging the same, as they may think proper, and buying and holding such real estate as may be necessary, and of suing and being sued, and all other matters and things which a corporation may lawfully do.
- Meeting of stockholders.** **SECTION 2.** That whenever one hundred shares shall be subscribed, of twenty-five dollars each share, a meeting may be called by any two stockholders of said company, by a notice published in any newspaper in said county, for the election of
- Officers.** one person as president and five persons as directors, who shall hold their office for one year, and until their successors shall be elected.
- May use part of other road.** **SECTION 3.** That said company shall have the right to make use of any part of any other road along said route, and locate the road upon the same ground.
- Route.** **SECTION 4.** That the Irvine and Tidioute turnpike and plank road company shall commence at Irvine, in said county, and terminate at such place in Deerfield township as may be deemed
- Right to extend.** proper by the company, with the right to extend the same to the village of Enterprise, in South-West township; and shall
- Subject to.** be subject to all the provisions, so far as not inconsistent with the act regulating turnpike and plank road companies, approved January twenty-six, one thousand eight hundred and forty-nine.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 125.

## A SUPPLEMENT

To the act incorporating the Cream Hill Turnpike Road Company, passed the day of Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Cream Hill turnpike road company shall hereafter be subject to and entitled to all the advantages of the fourth, fifth, sixth, ninth, tenth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth and nineteenth sections of the act, entitled "An Act regulating turnpike and plank road companies," passed the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and also the third section of the supplement to said act, passed the seventh day of April, one thousand eight hundred and forty-nine, and also the fifth section of the act of the nineteenth of April, one thousand eight hundred and fifty: *Provided however,* That no view or license shall be deemed necessary to authorize the collection of toll on said road, and that not more than one proceeding shall be instituted against said company for not keeping the road in repair, in any period of six months. Subject to certain sections of acts regulating turnpike companies.

SECTION 2. That any person using or traveling on said road for any distance whatever, (except persons going from one part of their farm to another,) shall be liable to pay toll for the same according to the usual rates, notwithstanding they do not pass through a gate; and if, upon demand made, they shall refuse to pay the same, it may be recovered in an action of debt before a justice of the peace, as debts of like amount are now recoverable by law; and traveling any distance less than two and a half miles, shall be deemed and charged as a half section. Rates of toll.

SECTION 3. That said company shall hereafter hold its annual meetings for the election of officers on the first Monday of July; and in case of a failure to elect, the old officers shall continue in office until successors are elected. Annual election of officers.

SECTION 4. That it shall be unlawful for any person or persons to drag stone, logs, or any matter whatever, upon said road, without being upon sleds or wheels; and any persons doing so, in whole or in part, shall be liable to pay treble the usual rates of toll, to be sued for and recovered, (if not paid at the gate,) before a justice of the peace, as debts of like amount are recoverable by law. Prohibition. Liable to pay fines.

SECTION 5. All persons are forbidden to place timber, shingles, saw logs, lumber, or any other material, upon the said road, to remain for more than twenty-four hours at one place, and then not in such manner or position as to interfere with passing or Penalty for placing obstructions upon road.

## LAWS OF PENNSYLVANIA,

repassing, under the penalty of ten dollars for each and every offence, recoverable in like manner.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 126.

## AN ACT

To vacate State Road from Drake's Ferry to Maryland line.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state road authorized by act of April fifth, one thousand eight hundred and forty-three, to be laid out from Drake's Ferry, Huntingdon county, to Maryland line, in Bedford, now Fulton county, be and the same is hereby vacated, and the act repealed, so far as relates to Bedford, now Fulton county.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 127.

## AN ACT

To change the place of holding Elections in East Brunswick township, Schuylkill county.

WHEREAS, The courts of Schuylkill county do not hold a session prior to the next election in East Brunswick township, Schuylkill county ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act all general, special and township elections in East Brunswick township, Schuylkill county, shall be held at the Ringgold chapel, in the town of Ringgold, in said township, and that all acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 128.

## A SUPPLEMENT

To an act, entitled "An Act erecting parts of Clinton, Elk, M'Kean and Potter counties into a county, to be called Cameron," approved on the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election for township officers in Cameron county shall be held on the first Friday of March, Anno Domini one thousand eight hundred and sixty-one, and annually thereafter on the first Friday in February, at such places heretofore fixed by law in the several townships of said county; and it shall be the duty of the school directors of said county to meet in convention at the county seat in said county, on the first Monday of May, Anno Domini one thousand eight hundred and sixty-one, and elect a suitable person to the office of superintendent of common schools of said county, in accordance with the general laws of this commonwealth in relation thereto.

Election of township officers, time of.

Election of county superintendent of schools.

**SECTION 2.** It shall be the duty of the commissioners of said county, immediately after the township election for the year one thousand eight hundred and sixty-one, to issue their warrants to the several persons elected as assessors, directing them to proceed immediately to make the assessments of taxable property in said county, in the same manner as is now provided for by law; which said assessors shall make return of said assessment to the county commissioners, as assessors are now by

Duties of commissioners and assessors.



law required to make, within fifteen days from the receipt of the said warrants. The levies of all taxes in said county for the year one thousand eight hundred and sixty-one shall be made upon said assessment; and it shall be the duty of the sheriff and commissioners of said county, or at least two of them, to meet at the county seat within fifteen days after the March term of court, in the year one thousand eight hundred and sixty-one, to select, in manner prescribed by existing laws, a sufficient number of persons from the taxable citizens so returned as aforesaid, to serve as jurors for the year one thousand eight hundred and sixty-one.

Selection of  
jurors.

Liens of judgment, mortgage, &c., entered into in certain counties, proceedings therein.

SECTION 3. That neither the fourth section of the act to which this is a supplement, nor any other portion of said act, shall be so construed as to impair the lien of any judgment, mortgage or mechanics' lien previously entered in the courts of Clinton, Elk, M'Kean or Potter counties upon any real estate upon which said judgments, mortgages or mechanics' lien were liens at the time of the entry thereof; but that such judgments, mortgages and mechanics' liens shall remain liens upon all real estate upon which they were previously liens, the same as though said county of Cameron had not been erected; and it shall be lawful for any mortgagee, plaintiff in any judgment, or owner of any mechanics' lien, entered in any of the said counties from which the said county of Cameron is erected, to take copies of such mortgage or mechanics' lien, certified from the records where entered by the proper officers, and for the plaintiff in any such judgment to take a transcript thereof to the said county of Cameron; which said certified copies of mortgages and mechanics' liens and transcripts of judgments shall be entered of record by the proper officers of Cameron county, and shall become liens upon the real estate in the said county of Cameron, upon which they were liens previous to the erection of said county, in the same order of priority that they originally held in the counties from which they are so transferred; and it shall be lawful for such mortgagee, the owners of such mechanics' liens, or plaintiff in such judgments, to proceed to the collection thereof in the said county of Cameron, in the manner provided by the general laws of this commonwealth; and all transcripts filed, and judgments entered, in the county of Cameron, previous to the passage of this act, by transcript from any of the said counties from which said county of Cameron was erected, shall be liens upon all real estate on which they were liens in the original counties, in the same order of priority that they originally possessed.

Suits and process

SECTION 4. That all suits commenced in, and process issued by, the courts of the several counties from which said county of Cameron has been erected, including suits commenced before justices of the peace, and process issued by them prior to the first Monday of January, one thousand eight hundred and sixty-one, and the execution and return of such process to the proper court or officer after that date, shall be deemed as valid, to all intents and purposes, as if said county of Cameron had not been erected, and shall thereafter be proceeded in and pursued in said county of Cameron.

SECTION 5. That it shall be the duty of the prothonotary of Cameron county, as early as possible, to transcribe into the proper dockets of said county, in the order of their respective dates, all the docket entries which shall have been furnished him by the prothonotaries of the counties of Clinton, Elk, M'Kean and Potter, which shall be as valid as the original record thereof; the expense of which shall be paid out of the treasury of Cameron county.

Prothonotary,  
duties of.

SECTION 6. That from and after the passage of this act, that portion of the township of Portage still remaining in Potter county, shall be annexed to and comprise a portion of the township of Eulalia, in said county of Potter, until said territory shall contain at least ten legal voters, when they are hereby authorized to elect township officers, and re-organize the said township of Portage, with the same effect as though this act had not been passed.

Portage town-  
ship annexed to.

SECTION 7. That the county of Cameron shall be subject to the general road laws of this commonwealth, except so far as they are altered or supplied by the provisions of this act. The qualified citizens of the several townships in said county shall elect, on the first Friday in March, Anno Domini one thousand eight hundred and sixty-one, three persons, who shall be styled commissioners of roads and highways; and it shall be the duty of said road commissioners to take the general charge and supervision of all the roads and bridges in each of the said townships of said county, county bridges excepted; and said road commissioners shall be liable to indictment for neglect of any duty enjoined upon them by law, the same as supervisors are indictable by the general laws of this commonwealth.

Commissioners,  
election and du-  
ties of.

SECTION 8. That within ten days after said election the persons so elected commissioners shall meet at the office of the town clerk in each township, and the said clerk, or, in his absence, the clerk of the election, proceed to class, by ballot, said commissioners; and one shall be classed and serve three years, one shall be classed and serve two years, and one shall be classed and serve one year; and as soon as the clerk shall have completed the classification, he shall administer an oath or affirmation to each of said commissioners, faithfully and impartially to discharge the duties of the said office; and the said clerk shall record the same on the township record; and the qualified citizens in each of said townships as aforesaid shall annually, at the township election thereafter, elect one person for road commissioner, who shall hold his office for three years; and if a vacancy shall occur in the said board of commissioners, such vacancy shall be supplied by appointment made by the said board of commissioners until the next election.

Meeting and  
classification of  
road commis-  
sioners.

SECTION 9. That it shall be the duty of said commissioners, as soon as they have been qualified as aforesaid, to notify the assessors of the township who was the last assessor, and made the assessment, to meet them at some convenient place, to be named by said commissioners on a day certain; and the said commissioners and assessors when so met, shall proceed to draw off, on a duplicate, the name of all the taxables in said township, together with all the property of each and every taxable assessed by said assessor for county rates and levies, and place

Taxation for road  
purposes.

the same valuation to each and every piece of property as was made by said assessor for county purposes; and the said assessor shall certify the same under his hand to be a true copy of the assessment for the year \_\_\_\_\_ in said township; and the said commissioners shall lay such tax upon the property so assessed as they shall deem necessary for road and bridge purposes for the current year, not exceeding one cent on every dollar of valuation so made.

Townships to be laid out and pathmasters appointed.

SECTION 10. That the said commissioners shall, as soon as they are organized, lay out the several townships into districts, as many as they shall deem necessary, and shall appoint one person in each district, who shall be called pathmaster, and shall furnish each of said pathmasters with a list of the taxables in his district, together with the amount of tax to be paid by each person; and the said pathmaster shall notify each person named in his duplicate, of the time and place he intends to work on said roads; and if the persons so notified shall refuse or neglect to work as directed by said pathmaster, then the said pathmaster shall make return to said commissioners forthwith of every such delinquent.

Delinquent taxables, mode of proceeding.

SECTION 11. That the said commissioners are hereby authorized to issue their warrant to the constable of said township, for the collection of any money that may be due from delinquent taxables, which warrants shall be made returnable in twenty days to the treasurer of the township; and the constable of the township is hereby required to execute the same under the same regulations, and proceed in the same manner, and have like fees, as the said constables now have and do perform under executions, except the defendant or delinquent shall not have the benefit of appraisal and stay, as is now granted by law of this commonwealth on executions.

List of unseated lands.

SECTION 12. That the said commissioners shall, in the month of November, in each and every year, make out a list of all unseated lands in each of the said townships on which the road tax of the present year remains unpaid; and one of the said commissioners shall, in the said month of November aforesaid, make return of said unseated lands to the commissioners of said county, and certify the same; and the said tax shall be collected by the county treasurer, in the same manner as other unseated taxes of the county are by law collected.

Road tax, how expended and drawn.

SECTION 13. That all moneys raised in said townships, by tax or otherwise, for road purposes, shall be collected and paid to the treasurer of the proper townships; and when expended, it shall be done by the direction of the said road commissioners, and drawn out of the treasury by orders, signed by two or more of said commissioners, on the treasurer of said township; and the said commissioners shall annually settle their accounts with the auditors of the township, as supervisors now do under the general law of this commonwealth; and the office of supervisor in the several townships of Cameron county is hereby abolished.

Office of supervisor abolished.

Compensation.

SECTION 14. That the compensation of said road commissioners and treasurer shall be fixed by the auditors of the said township, not exceeding one dollar per day, for the said commissioners; and the pathmasters of the several districts shall be allowed the same daily pay as is allowed to those who work out their tax

are allowed per day; and the assessor shall be allowed and paid one dollar for each day necessarily employed with the said commissioners in making out the said transcript, and certifying to the same, which duty the said assessor is hereby required to perform.

SECTION 15. That the said pathmasters are hereby required to see that the taxes in their respective districts are worked out, as soon as may be after they receive their duplicates from the commissioners, and shall annually, in the month of November, in each and every year, when notified by said commissioners, meet with said commissioners, and settle their respective accounts; and any failure on the part of said pathmasters to settle their respective accounts, as required by this act, shall subject the one so neglecting to a fine of twenty dollars, to be recovered as debts of equal amount are by law recoverable, before a justice of the peace, at the suit of the proper treasurer of the township, on complaint made by said commissioners to said treasurer. Accounts of pathmasters.

SECTION 16. That the number of road and bridge viewers appointed by the court of quarter sessions of said county, shall be three, one of whom shall be a surveyor; and the road viewers aforesaid shall, before proceeding to view, give five days' notice, by three or more advertisements put up in the most public places in the vicinity of the road proposed to be viewed, of the time and place of meeting; and it shall be the duty of the said viewers, whenever they report a road, bridge, or alteration in a road, to endeavor to procure from the persons whose lands may be affected by such report, releases of damages occasioned thereby, which shall be in writing, with or without seal; and if said viewers shall in any case fail to procure such releases, they shall assess the damages and make report thereof, and return the same, together with all releases obtained, to the proper court. Road viewers, duties of.

SECTION 17. That if the court shall be satisfied that the public interest will be sufficiently subserved by the opening of the road, to authorize the payment by the county of the damages assessed, and that the report and proceedings are in conformity to law, they shall confirm such report and assessment of damages unconditionally, otherwise said court may annex, as a condition of the confirmation, that the damages assessed shall be paid by the petitioners or other persons interested; and in such case, no order shall issue to open the road until the damages assessed are paid into court, or the receipts of the persons to whom they are payable are on file; and in all cases which the county shall be required to pay the damages assessed, payment shall not be made until the road is opened for public use, and made passable for teams; it then shall be the duty of the supervisors of the township where such road has been laid out and assessments made, to make affidavit that such road is open to the public, and file such affidavit with the commissioners of the county, when it shall be the duty of the commissioners to pay such assessment to the person to whom it has been awarded. Assessment of damages.

SECTION 18. That the court of common pleas of the said county may, upon application of any creditor of a township, and upon notice to the road commissioners thereof, direct the road commissioners to levy an additional tax, or to increase the regular assessment, and to cause the same to be collected in money, to Opening of roads.

- Limitation.** pay the debts of said township ; which additional tax, or increase of tax, shall not in any case exceed, in any one year, ten mills on the dollar of such adjusted assessment or valuation. The taxes authorized by this section, except the taxes on unseated lands, shall be collected by the constable of the respective townships, upon warrants and duplicates issued by the road commissioners ; and the said constables shall have all the power and authority, for the collection of the same, which are vested in collectors of county rates and levies by existing laws, and shall be liable, upon their bonds, for the faithful discharge of their duties, and for the payment to the township treasurer, within thirty days after the receipt of said warrant, of the whole amount thereof, except such sums as may be abated by said road commissioners or returned to the county commissioners.
- Mode of collection.**
- Constables and treasurers, their duties.** SECTION 19. That the constables of said townships are required to make out and return to the county commissioners transcripts from their duplicates, as aforesaid, of all assessments upon seated property which are not collectable, in pursuance of the powers which are vested in them by the preceding section, and the same shall be collected by the county treasurer, as provided by the existing laws for the collection of county taxes ; and the additional or increased tax, when collected, shall be applied by the township treasurer first to the payment of judgments against said townships in the order of their priority, second and next to the payment of other indebtedness of the said townships ; and the said courts shall have power to enforce the provisions of the seventeenth section of this act, and of this section, by attachment against the road commissioners and treasurer, as the case may require.
- County commissioners and auditors, terms of office.** SECTION 20. That the person having the highest number of votes for county commissioner in said county of Cameron, at the election held on the second Tuesday of October, Anno Domini one thousand eight hundred and sixty, shall hold said office for the term of three years, and the person who received the next highest number of votes shall hold said office for the term of two years, and the person who received the next highest number of votes shall hold said office for the term of one year ; and the persons elected county auditors shall take grade, as to the time for holding their said office, in the manner prescribed for county commissioners in this section.
- Proceedings in case of neglect of duty by commissioners.** SECTION 21. That if either of the commissioners of the said county of Cameron shall neglect or refuse to perform any duty required by law to be performed, it shall and may be lawful for the court of quarter sessions of said county, upon petition of ten citizens of said county, setting forth in what manner said commissioner has neglected or refused to perform any act required by law to be performed, which petition shall be verified by the oath or affirmation of at least two of the persons signing the same, to grant a rule upon said commissioners, returnable at such time as said court shall fix, to show cause why he should not be removed from his said office, a copy of which petition and rule shall be served immediately upon the person sought to be removed ; and if, upon return of said rule, and from the evidence adduced, it shall appear to the court that the person against whom said rule was granted has wilfully refused to dis-

charge any of the duties of his said office, as set forth in said petition, the court shall thereupon make said rule absolute, and forbid said person from discharging any further the duties of county commissioner for said county, and shall thereupon appoint a suitable person to fill said vacancy; and the person so appointed shall hold said office until the next general election after said appointment: *Provided*, That the provisions of this *Proviso*. act shall not be construed to apply to any default of the said commissioners heretofore committed, but only to such as shall hereafter occur.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 129.

## A FURTHER SUPPLEMENT

To an act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the expiration of the terms of the present assessors of the Twenty-fourth ward of said city, the said ward shall be divided into two assessment districts, the first of which shall be all that portion of said ward lying north of Market street on West Chester road, and the other shall be all that part of said ward south of Market street or West Chester road; and the qualified electors of each of said districts hereby created, shall, at the next election for assessors, elect the same number of assessors as required by the act to which this is a supplement.

Division of Twenty-fourth ward into two assessment districts.

SECTION 2. That at the next election for constables in said ward, the qualified electors of said ward shall elect six citizens to serve as constables, for the same terms as the other constables of said city.

Election of constables.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 130.

## A FURTHER SUPPLEMENT

To an act in relation to Elections and certain Election Districts, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the seventeenth section of the act, entitled "An Act in relation to elections and certain election districts," approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-two, be and they are hereby extended to the county of York.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 131.

## AN ACT

Extending the Charter of the Delaware Fire Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the corporate powers and privileges contained in the act approved May fifth, one thousand eight hundred and thirty-two, entitled "An Act to incorporate the Delaware fire company of Philadelphia," be and the same are hereby extended and continued forever, in the same manner as though the provisions of the said act had not been limited to a term of thirty years, but had been perpetual.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 132.

## A N A C T

Relating to Saint Mary's Church, in the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no street, road or lane shall be laid out or opened through the ground or tract of land now occupied as a cemetery, known as Saint Mary's cemetery, in the First ward, in the city of Philadelphia, without the consent of the trustees of Saint Mary's church being first had and obtained.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

**APPROVED**—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 133.

## S U P P L E M E N T

To an act to incorporate the German Roman Catholic Saint Joseph's Orphans' Asylum of the county of Allegheny, approved the third day of March, Anno Domini one thousand eight hundred and fifty-three.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the board of managers of the German Roman Catholic Saint Joseph's orphan asylum of the county of Allegheny, and they are hereby empowered, to put out as apprentices any such child or children, at present inmates of said asylum, or that shall hereafter becomes inmates, under the fourth section of the act of incorporation, to which this is a supplement: *Provided however,* That no female child shall be bound to serve beyond the age of eighteen years, and no male child beyond the age of twenty-one years.

**SECTION 2.** That all estate, real or personal, now held or hereafter to be held by the said asylum, shall be exempted from as-

Board of managers empowered to put out inmates as apprentices.

Proviso.

Exemption.



assessment for, and payment of, all county, corporation and poor taxes, so long as such property shall remain in the possession of the same, and be used and occupied for the purposes of the said institution.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 134.

### AN ACT

To incorporate the Zion African Methodist Episcopal Church of Philadelphia.

**Preamble.**

WHEREAS, At a public meeting of the members of said church, held in the church in the said city on the seventeenth day of January, one thousand eight hundred and sixty-one, it was "*Resolved*, That said church do hereby petition the legislature of Pennsylvania for the purpose of securing an act of incorporation, such as is made and provided for religious bodies, et cetera ;" therefore

**Corporators.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the male members of the church commonly known as the Zion Mission church of Philadelphia, in full connection with the African Methodist Episcopal church, who are over the age of twenty-one years, shall be and are hereby a body politic in law, by the name, style and title of the Zion Mission church of Philadelphia, in the commonwealth of Pennsylvania, and by that name may sue and be sued, plead and be impleaded, in all courts of law and equity, take and hold real estate, by devise or purchase, and have such other rights as are incident to a corporation: *Provided*, That the said corporation shall continue as heretofore, to be subject to the rules, discipline and doctrines of the African Methodist Episcopal church, in the United States of America, in all matters of church government, as the same have been, and may be adopted and published from time to time by the general conference of the said African Methodist Episcopal church, so far as they may be in accordance with the laws of this state, and of the United States.

**Style.**

**Powers.**

**Proviso.**

**SECTION 2.** That the temporal affairs of said corporation shall **Trustees.** be managed by a board of five trustees; the first election for said officers shall take place on the first Monday in January, in the year eighteen hundred and sixty-two, at which time the male members of said corporation shall elect two trustees, to serve for one year, and three for two years; and on the first Monday of January of every year thereafter the said members shall elect other trustees, to hold their offices for the term of two years, in the place of those whose terms of office may expire: *Provided,* That any of said officers may, from time to time, be re-elected. No person shall be eligible to either of said offices who shall not have been a full member of the connection of the African Methodist Episcopal church, in the United States, for at least two years, and a member of the corporation for at least one year previous to the election; nor shall any person hold any secular office in the corporation after he ceases to be a member of said church. In case of resignation or expulsion from membership of said church or corporation, according to the discipline, of any person who may happen to be a trustee or other officer of the corporation, the vacancy which may thereby be created in any office, or any other vacancy which may be occasioned in any office by other causes, shall be filled by a special election, of which due notice shall be given from the pulpit of the church on the Sabbath preceding the day the board of trustees may appoint for such election. The board of trustees shall make an annual report of their proceedings, and of the condition of the affairs of the corporation, at the time for the annual election of its officers; the preacher in charge, duly appointed according to the discipline, shall be *ex-officio* president of the board of trustees, but shall not vote on any question, except in case of a tie, and then shall have a casting vote. Special meetings of the board may be called by the president.

**SECTION 3.** That the trustees shall not sell, transfer or mortgage, or otherwise encumber any part of the real estate belonging to the corporation, except by and with the consent of the members thereof, to be ascertained at a general meeting to be called for that purpose: *Provided,* That a vote of two-thirds of **Proviso.** the members present at such meeting shall be necessary to authorize such sale, transfer, mortgage or other incumbrance; and the church belonging to said corporation shall be held in trust for the religious use of the regularly appointed ministers and members of said church, according to the discipline and usages of said African Methodist Episcopal church.

**SECTION 4.** That the minister duly appointed to this church **Minister.** shall have the direction and management of the spiritual affairs of said corporation, according to the discipline of the African Methodist Episcopal church. Special meetings of the corporation may be called by the minister in charge, at the request of ten members, or by the board of trustees.

**SECTION 5.** The members of the corporation shall have power **By-laws.** to adopt such by-laws as may be necessary to secure a proper administration of the secular affairs of the said corporation: *Provided,* The same be not inconsistent with the provisions of **Proviso.** this act.

Articles of association superseded.

SECTION 6. That the articles of association, and amendments thereto, referred to in the preamble to this act, shall be superseded hereby, from and after the first election of officers herein authorized.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 135.

## A N A C T

For the relief of David Meckling.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county treasurer of Westmoreland county be and he is hereby authorized to pay to David Meckling, of Westmoreland county, out of the general military fund of the first brigade, seventeenth division of Pennsylvania uniformed militia, the sum of one hundred and fifty dollars, being one year's pay for year ending June, one thousand eight hundred and fifty-nine, as brigade inspector of the said brigade.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 136.

## A N A C T

To authorize the appointment of additional Notaries Public in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and is hereby authorized and empowered to appoint two additional notaries public for this commonwealth, to reside in the city of Philadelphia.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 137.

## A N A C T

Relative to certain Military Companies in the Washington County Brigade.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the Jefferson Guards, of the first regiment, and the Monongahela Artillery, of the second regiment, in the Washington county brigade, shall not be required to parade or perform military duty in the regiments to which they are now respectively attached, nor in any other regiment or battalion, without the consent of a majority of the officers and members of said companies.

Certain companies exempt from performing military duty.

**Change of name.** SECTION 2. That the name of the Jefferson Guards is hereby changed to that of the Jefferson Light Guards, and hereafter they shall be known and recognized by that name.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 138.

## AN ACT

To incorporate the West Sunbury Academy.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

**Corporators.** Wm. P. Breadin, J. Singer, Samuel Williams, J. Niblack, Wm. T. Dickson, Wm. C. Glenn, J. W. Christy, Dr. H. C. Linn, John Meckling, J. C. Weik and M. Rhodes, and their successors, be and they hereby are created into a body politic and corporate, in deed and in law, by the name, style and title of West Sunbury academy; and by that name shall have perpetual succession, the trustees filling vacancies that may from time to time occur, by death, removal or otherwise; and shall be able to

**Style.** sue and be sued, to plead and be impleaded; and shall be able and capable, in law and in equity, to receive, take and hold, for the use of the said incorporation, lands, tenements, hereditaments and estate, real and personal whatsoever, and the same to grant, bargain and sell, transfer and assign, mortgage and convey, in such manner as said corporation shall deem proper; and to receive and make all deeds, transfers, contracts, covenants, conveyances and assurances whatsoever; and to make,

**Powers and privileges.** have and use a common seal, under and by which all deeds, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same seal to change and renew at pleasure; and generally to do every other act or thing necessary to carry into effect the provisions of this act, and to promote the objects and designs of the said corporation.

**Seal.**

**Object.** SECTION 2. That the object and design of the said corporation shall be the establishment of an academy within the limits of Sunbury, Butler county, in which are to be taught the elementary branches of education, together with the sciences and modern and ancient languages, in the manner that may be deter-

mined from time to time by the proper officers of the said corporation, and as the same may be set forth in their by-laws and regulations: *Provided*, That such by-laws and regulations are *Provided*, not inconsistent with this charter, or with the constitution of the United States, or the constitution and laws of this commonwealth.

SECTION 3. That the said corporation shall have power to *By-laws*, adopt a constitution and make by-laws, and the same to amend and repeal at pleasure.

SECTION 4. That no misnomer of the said corporation shall *Misnomer not to defeat gift, devise, &c.* defeat any intended gift, grant, conveyance, devise or bequest thereto, nor any act or deed intended to be made or done thereby, nor shall the clear annual value of the estate of said corporation exceed the sum of six thousand dollars. *Limitation.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 139.

## A SUPPLEMENT

To an act relative to the Escheated Estate of John Chase, a negro man, passed thirteenth April, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the Canonsburg district, Washington county, Pennsylvania, be and they are hereby authorized and empowered to erect a school house on the lot of land conveyed by the said recited act to the trustees of the African Methodist Episcopal church of Canonsburg aforesaid, for the use of the African children of said district and vicinity.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domin one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 140.

## A N A C T

To relinquish the Purchase Money and Interest due the Commonwealth on a certain piece of Land in Berks county, to the "New Jerusalem" (or so-called Dunkel's Church) Congregation, and to perfect a Title to said Congregation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the purchase money and interest due to the commonwealth on a certain piece of land, situate in Greenwich township, Berks county, containing thirty-seven acres and one hundred and forty-five perches, strict measure, surveyed on a warrant dated the thirtieth day of August, Anno Domini one thousand seven hundred and forty-eight, granted to Sebastian Graeff, and returned for the use of the German Reformed church congregation then, now "New Jerusalem," (or so-called Dunkel's church,) be and the same is hereby relinquished to the "New Jerusalem" (or so-called Dunkel's church) Lutheran and German Reformed congregations of Greenwich township aforesaid; and the surveyor general is hereby authorized and directed to issue a patent, free of the original purchase money, interests and office fees, to Benjamin Hager, Samuel Heinly, John Reinhart and Charles Greenawald, trustees of aforesaid congregations, and their successors, for said piece of land, and in trust for the aforesaid "New Jerusalem" (or so-called Dunkel's church) Lutheran and German Reformed congregations.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 141.

## A N A C T

To change the place of holding Elections in Heidelberg township, York county.

WHEREAS, No court will be held in the county of York before the next election in March, and Frederick Stover, at whose

house the general, special and township elections in the township of Heidelberg, county of York, have been held, desires to have the same removed from his house; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general, special and township elections in Heidelberg township, in York county, shall hereafter be held at the public school house number ten, in said township.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN

No. 142.

# A N A C T

To change the place of holding Elections in Sadsbury township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter all general, special and township elections in the township of Sadsbury, in the county of Chester, shall be held at the public house now occupied by Absalom Barben, in the village of Parkesburg, in said township.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 143.

## A N A C T

To establish the place of holding Elections in the township of Springhill, in Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the general, special and township elections in the township of Springhill, in the county of Greene, shall be held at White's mill, in said township.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 144.

## A N A C T

Fixing the place of holding Elections in Brush Valley township, and the borough of Mechanicsburg, in said township, in the county of Indiana.

WHEREAS, 'The house fixed by law as the place for holding the elections for the township of Brush Valley, and the borough of Mechanicsburg, in said township, in the county of Indiana, has become inconvenient for said puposes :

*And whereas,* 'The court of quarter sessions of Indiana county will not hold a session until after the time for holding the next spring election will have elapsed ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general, special, township and borough elections in the township of Brush Valley, and borough of Mechanicsburg, in said township, in the county of Indiana, shall be hereafter held

in the public school house in the said borough of Mechanicsburg.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 145.

## AN ACT

To change the place of holding Elections in Nippenose township, in Lycoming county, and Clinton township, of said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township of Nippenose, in the county of Lycoming, shall be and is hereby constituted a separate election district; and that the general and special elections in said township shall hereafter be held at the Sunbury and Erie hotel, at the Jersey Shore railroad station, in said township.

SECTION 2. That the qualified electors of Clinton township, in the county of Lycoming, shall hereafter hold their general and township elections at the public house now occupied by Samuel Hartzell, at or near the Montgomery station, in said township.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 146.

## A N A C T

Relating to the Susquehanna River, and North and West Branch, Atlantic and Ohio, and the Philadelphia and Wilkesbarre Telegraph Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Susquehanna River, and North and West Branch telegraph company, and the Philadelphia and Wilkesbarre, and Atlantic and Ohio telegraph company, and each of them, be and they are hereby relieved, exempted and exonerated from the payment of all taxes due the commonwealth of Pennsylvania, which have been assessed prior to the first Monday of November, in the year of our Lord one thousand eight hundred and sixty.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 147.

## A N A C T

To extend the provisions of the law relating to the selling of the repairing of Public Roads in certain townships in Schuylkill county to Mount Carmel township, in Northumberland county, and Conyngham township, Columbia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county, approved the twenty-fourth day of January, Anno Domini one thousand eight hundred and sixty, be and the same are hereby extended to Mount Carmel township, in the county of Northum-

berland, and to the township of Conyngham, in the county of Columbia.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives,*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 148.

## A SUPPLEMENT

To an act, approved the third day of April, Anno Domini one thousand eight hundred and sixty, entitled "An Act explanatory of an act to provide for the erection of a House for the Employment and Support of the Poor for the county of Carbon," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

WHEREAS, Doubts have arisen upon the true intent and meaning of the words, "persons and property, subjects and things," in the first section of the act to which this is a supplement; therefore,

Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several species and kinds of property, subjects and things, excepting shares of bank stock, which are enumerated in the thirty-second section of the act, entitled "An Act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company," approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and forty-four, are and shall be taxable for the purposes named in the act to which this is a supplement.

Certain property enumerated made taxable.

SECTION 2. That whenever the taxes upon real estate, levied in pursuance of the act to which this is a supplement, shall remain in arrears and unpaid on the first day of January of the year following that in which the said taxes may have become due and payable, it shall be the duty of the collector to certify the same to the directors named in said act, together with a description of the estate or property assessed, and the name of the owner or owners thereof, and also that the said taxes could not be collected, although the collector has been diligent in endeavoring to collect and obtain the same; whereupon the said directors shall exonerate the said collectors from said taxes, and return the same, with the description aforesaid, and the name of the owner or owners of such estate or property, to the com-

Duties of collectors and directors when taxes remain unpaid.

## LAWS OF PENNSYLVANIA,

missioners of Carbon county, who shall collect and pay over the same in the manner provided in the forty-second section of the act, entitled "An Act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company," approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and forty-four.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 149.

## AN ACT

To authorize the election of two additional Supervisors in Shirley township, Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall be lawful for the qualified voters of Shirley township, in the county of Huntingdon, to elect annually, at their spring election, two additional supervisors of public roads for said township.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 150.

## A N A C T

Authorizing the Auditor General and State Treasurer to settle the accounts for Taxes with the Lewistown Water Company, and the Lewistown and Tuscarora Bridge Company, and strike the balances due the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and hereby are authorized and required to adjust the accounts for taxes with the Lewistown water company, and the Lewistown and Tuscarora bridge company, and to strike the balance due the commonwealth from each of the said companies, in accordance with the laws of this commonwealth.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 151.

## A S U P P L E M E N T

To an act relative to Roads and Bridges, and Road and Bridge Views and Viewers in the county of Schuylkill, approved the sixth day of March, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provision of the second section of the act to which this is a supplement, shall not be so construed as to require the several townships and boroughs in Schuylkill county, in which any county bridge or bridges are now or may hereafter be erected, to put and keep the same in repair, when, in the opinion of the auditors of the township or borough in which such bridge is erected, the expense of repairing shall at any one time exceed

## LAWS OF PENNSYLVANIA,

the sum of twenty dollars; and if, in the opinion of said auditors, the repairing of such bridge shall exceed the said sum of twenty dollars, they shall cause the same to be made known to the county commissioners, who shall forthwith cause the same to be done at the expense of the county.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 152.

## AN ACT

Authorizing the Commissioners of Warren county to settle with Mathias Fahlman.

WHEREAS, Mathias Fahlman made a contract with the commissioners of Warren county to furnish stone for the erection of the county jail:

*And whereas,* The said Fahlman, being ignorant of the nature of the work contracted for, has lost a large sum of money in fulfilling said contract; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of said county of Warren be and they are hereby authorized to settle with the said Mathias Fahlman, by allowing him reasonable wages for the time he has worked in the fulfillment of the said contract, irrespective of the terms and prices specified in said contract, and for any balance that may be found due to the said Fahlman in said settlement, they are hereby authorized and required to draw their warrant on the county treasurer, in the usual manner of drawing warrants in favor of other creditors of the said county.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 153.

## A FURTHER SUPPLEMENT

To an act to incorporate the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election of members of councils, and of all the municipal officers of the city of Philadelphia, authorized to be elected by an act approved February second, one thousand eight hundred and fifty-four, entitled "A further supplement to an act to incorporate the city of Philadelphia," and by any of the supplements thereto, shall be held on the second Tuesday of October in each year, instead of the first Tuesday of May, as now provided by law.

Change of time  
of municipal  
election.

**SECTION 2.** That to prevent confusion in the terms of the officers heretofore elected by the qualified voters of said city, and that no vacancy may occur, all officers, inclusive of constables, and surveyors and regulators, whose terms of office would otherwise have expired at any day succeeding said election day heretofore appointed to be held on the first Tuesday of May in each and every year, shall be continued until the last day in December following the day at which their said terms would otherwise have ended, excepting the receiver of taxes, who shall continue until the Saturday next preceding the second Monday succeeding the fifteenth day of January following: *Provided,* That each and every officer whose term shall be so extended, shall, thirty days before he shall enter upon such extended term, have given new security, in the manner now required by law, for the period of such extended term.

Terms of office  
extended.Receiver of  
taxes, term of.  
*Provide.*

**SECTION 3.** That all officers elected by the qualified voters of the city of Philadelphia shall enter upon the performance of their duties on the first day of January next succeeding their election, excepting the receiver of taxes, who shall enter upon the performance of his duties on the second Monday succeeding the fifteenth of January next following his election.

Official term,  
when to com-  
mence.

Exception.

**SECTION 4.** That the terms of office of the officers hereafter to be elected shall be, of the mayor, three years; of the city comptroller, three years; and of the city solicitor, three years, from the day of the commencement of their terms, in January as aforesaid.

Mayor, comptrol-  
lor and solicitor,  
terms of.

**SECTION 5.** That hereafter each ward of the city of Philadelphia shall have one member of select council, who shall serve for three years from the first day of January next succeeding their election; and that one-third of select council shall be chosen each year; the qualified voters, on the second Tuesday of October, one thousand eight hundred and sixty-one, of the First, Third, Fifth and Seventh wards, shall each elect a member of select council, to serve for one year; of the Ninth, Eleventh, Thirteenth and Fifteenth wards, shall elect each a member of

Select council,  
how chosen and  
classified.



select council, to serve for two years; of the Seventeenth, Nineteenth, Twenty-first and Twenty-third wards, shall elect each a member of select council, to serve for three years; and the qualified voters, on the second Tuesday of October, one thousand eight hundred and sixty-two, of the Second, Fourth, Sixth and Eighth wards, shall elect each a member of select council, to serve for one year; of the Tenth, Twelfth, Fourteenth and Sixteenth wards, shall elect each a member of select council, to serve for two years; and of the Eighteenth, Twentieth, Twenty-second and Twenty-fourth wards, shall elect each a member of select council, to serve for three years.

Common council,  
their number  
and terms.

SECTION 6. That each ward of the city of Philadelphia shall have a member of common council for each two thousand of taxable inhabitants that it shall contain, according to the list of taxables for the preceding year, who shall serve for two years from the first day of January succeeding their election, except those who shall be first elected under the provisions hereof, who shall draw, by lot, from a list prepared by the clerk, whether their terms shall be for one year, or for two years, and thereafter the members shall be elected for two years; and the terms of the present members of the councils of Philadelphia shall continue until their successors shall be elected and qualified to take their seats; and the newly elected members shall meet in the council chambers, and be qualified, on the first Monday of January, at ten o'clock of the forenoon of each year, at which hour the terms of their predecessors shall expire.

Meeting of.

Aldermen, elec-  
tion of.

SECTION 7. That aldermen in and for the city of Philadelphia, in the place of those whose commissions will expire previous to the time of holding the general election in October of the present year, and also of those whose commissions will expire in the year one thousand eight hundred and sixty-two respectively, shall be elected at the time of holding the general election on the second Tuesday of October, one thousand eight hundred and sixty-one; and thereafter the election for aldermen shall take place on the second Tuesday of October annually, to fill the place of those whose commissions will expire previous to the next succeeding general election; commissions to be issued to the said aldermen under existing laws as to such as shall be elected in the place of those whose commissions had expired at the time of the election in the present year, and as to such as shall be elected in the place of those whose commissions expire before the then next succeeding October election, so as to take effect at the expiration of the respective commissions so terminating, until the year one thousand eight hundred and sixty-four, and thereafter on the first day of January succeeding the election.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 154.

## AN ACT

To confirm the Revised Grade Regulations of a portion of the Second and Third Divisions of the Survey and Regulation of the District of West Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the plan of the revised grade regulation of Market street and vicinity, in the Twenty-fourth ward of the city of Philadelphia, bounded by Arch street on the north, York street on the south, the river Schuylkill on the east, and Crammond street on the west, prepared in compliance with resolution of select and common councils, approved March twenty-third, one thousand eight hundred and fifty-nine, and approved by the board of surveyors at their stated meeting of December nineteenth, one thousand eight hundred and fifty-nine, be and the same is hereby confirmed, and all the heights and grades marked thereon established; said plan being on file as number forty-two, in the department of surveys of the city of Philadelphia.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 155.

## AN ACT

Authorizing and directing the Commissioners of Lebanon county to pay out of the Treasury of said county the sum of Three Hundred Dollars, towards the payment of the expenses incurred in the erection of a bridge over Quitapahilla creek, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Lebanon county be and they are hereby

authorized and directed to pay to William Ault, John Leslie and Henry Wilhelm, out of the treasury of said county, the sum of three hundred dollars, towards the payment of the expenses incurred in the erection of a bridge over the Quitapahilla creek, at the New Market Forge dam, on the line between the township of North Annville and Londonderry, in said county; and that hereafter the said bridge shall be kept in repair by the respective supervisors of the said townships.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 156.

## AN ACT

To alter and amend the act, entitled "An Act to establish a Public Ferry across the Clarion river, at or near Armstrong's Mills, in the counties of Jefferson and Forest, and for other purposes," approved the second day of April, one thousand eight hundred and fifty.

**Repeal.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, so much of the act, entitled "An Act to establish a public ferry across the Clarion river, at or near Armstrong's mills, in the counties of Jefferson and Forest, and for other purposes," approved the second day of April, one thousand eight hundred and fifty, as relates to William Armstrong, his heirs and assigns, be and the same is hereby repealed, and that John Besome, his heirs and assigns, be and the same is hereby substituted.

**Substitution.**

**Prohibition.**

SECTION 2. That from and after the passage of this act, it shall be unlawful for any person or persons to establish a public ferry across the Clarion river, within one mile on either side of said ferry.

**Penalty.**

SECTION 3. That any person or persons violating the provision of the second section of this act, shall forfeit and pay a fine of twenty-five dollars, to be sued for and recovered as similar penalties are now by law recoverable. The said penalty shall be sued and recoverable by the said John Besome, his heirs and assigns, for his and their use, once in each month, as long as

the said person or persons shall persist in violating the provision of the second section of this act.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 157.

# A N A C T

To amend an act, approved April fourteenth, one thousand eight hundred and fifty-nine, entitled "An Act to authorize the Auditor General and State Treasurer to re-examine the account between the Commonwealth and the President, Managers and Company of the Bustleton and Feasterville Turnpike Road Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the word Feasterville, where it occurs in the preamble, and first and only section of an act, entitled "An Act to authorize the auditor general and state treasurer to re-examine the account between the commonwealth and the president, managers and company of the Bustleton and Feasterville turnpike road company," approved April the fourteenth, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby changed to, and shall henceforth be called by, and known as Somerton, in compliance with the style and title of the act to which it refers, passed the fourteenth day of April, Anno Domini one thousand eight hundred and forty.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 158.

## AN ACT

Authorizing the Auditor General to examine the Claim of Charles De Hass.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be authorized and directed to examine the claim of Charles De Hass and assistant, for services rendered in the year one thousand eight hundred and thirty-eight, in the survey of a macadamized turnpike road from the town of Chambersburg to the western base of Laurel hill, at or near Laughlinstown, in Westmoreland county, and report to this Legislature, as soon as practicable, the amount (if any) due the said claimants for such survey, and the report thereon.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 159.

## SUPPLEMENT

To an act incorporating the Guardians of the Poor of the city of Pittsburg, passed the sixth day of March, one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no member of the select or common council of the city of Pittsburg shall be eligible to the office of guardian of the poor of the said city of Pittsburg.

Councillmen not  
eligible.

May vacate seats  
of absent mem-  
bers.

SECTION 2. That said guardians of the poor shall have the power, by a vote of the board, to vacate the seat of any member of the board who, during the six preceding consecutive

months, shall have attended no regular nor special meeting of the board.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 160.

# AN ACT

Relating to Hawkers and Pedlers in the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act, entitled "An Act supplementary to the act relating to hawkers and pedlers, and regulating auctions in the county of Schuylkill," approved the seventeenth day of April, one thousand eight hundred and forty-six, be and the same are hereby extended to the county of Armstrong: Provided, That the provisions of this act shall not be so construed as to apply to citizens of said county of Armstrong.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 161.

## A N A C T

Relative to the Claim of James Condran, of Blair county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized to examine the claim of James Condran, for damages occasioned by the sinking of his boat in the Pennsylvania canal, in the month of April, one thousand eight hundred and fifty-seven; and that the state treasurer be and he is hereby authorized and directed to pay the amount of damages sustained by said Condran, if the persons above named, after an examination of the claim, conclude that he sustained and is entitled to damages, out of any moneys in the treasury not otherwise appropriated.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 162.

## A N A C T

Relative to the Cemetery of Miners' Lodge, number twenty, of the Independent Order of Odd Fellows of the State of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Miners' lodge, number twenty, of the Independent Order of Odd Fellows of the State of Pennsylvania, be and they are hereby authorized to hold their present cemetery ground, in the borough of Pottsville, not exceeding four acres of land, free and

exempt from all taxation, so long as the same is held by them, to be disposed of only for burial purposes.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

### No. 163.

#### A FURTHER SUPPLEMENT

To an act authorizing the Limerick and Colebrookdale Turnpike Company to extend their road from or near Boyerstown, in Berks county, to the township line of Douglass, near Jacob Bowers' Mill, passed the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all persons, with their vehicles or horses, going to or from funerals or places of public worship, or of military trainings or elections, shall be exempt from the payment of tolls when traveling on said extended road or part of road.*

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

### No. 164.

#### AN ACT

Regulating the fees of Justices and Constables of Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



**Fees of mayor,  
alderman or justice  
in vagrant  
cases, &c.**

from and after the passage of this act, all fees to be received by any mayor, alderman or justice of the peace in the county of Cumberland, in any vagrant case, or case of intoxication, shall be thirty cents, and no more.

**Fees of constable  
in same.**

SECTION 2. That all fees to be received by any constable in the said county in any vagrant case, or case of intoxication, shall be as follows: For arresting and bringing before a justice, mayor or alderman, and conveying to jail, twenty cents, with mileage heretofore allowed by law, only where the distance traveled exceeds one mile.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 165.

## AN ACT

Relating to the Courts of Union and Snyder counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the regular terms of the courts of Union county shall commence on the third Monday of February, May, September and December; and the Snyder county courts shall commence the Monday following, except the December term, which shall be held the week preceding the Union county court.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 166.

## AN ACT

To extend the act relating to Sheriff and Prothonotary costs in Luzerne county, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, to the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act relating to sheriff and prothonotary costs in Luzerne county," be and the same is hereby extended to the county of Berks.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 167.

## AN ACT

To vest the Escheated Estate of Lydia Price in her nephew, Reese P. Walter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the right, title and interest of the Commonwealth of Pennsylvania in and to all the estate, real and personal, of which Lydia Price, late of Lower Merion township, Montgomery county, died seized and possessed, said real estate being in said township, on the Lancaster turnpike, and the same which the executors of Joseph Price conveyed on the twenty-fifth day of March, one thousand eight hundred and twenty-nine, unto Jane Walter, the mother of said Lydia Price, and by her devised to the latter in fee, be and the same is hereby vested in the only descendant of the said Jane Walter, Reese P. Walter, his heirs and assigns:

*Provided*, That the same shall be subject to the payment of the collateral inheritance tax, and to the payment of all costs and charges legally accrued by reason of the same having escheated to the state.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G RUSH. SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 168.

## A SUPPLEMENT

To an act to confirm the Revised Grade and Survey Regulations of the fourth section of the Survey of West Philadelphia, and a part of the late township of Blockley, approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WHEREAS, Charles M. S. Leslie, the present owner of all the land bounding on both sides of the old Darby road, or Till street, which leads south-westwardly from the Baltimore turnpike to the Darby plank-road, or Woodland street, between Fortieth and Forty-first streets, in the Twenty-fourth ward of the city of Philadelphia, hath assented to the closing up and vacating of the same; now therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That That the said old Darby road, or Till street, is hereby vacated, and the soil therein vested in fee in the said adjoining owner.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 169.

## AN ACT

To authorize the Chestnut Hill Iron Ore Company to borrow money, and to secure the payment thereof.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Chestnut Hill iron ore company is hereby authorized to borrow money, and to issue its bonds therefor, to an amount not exceeding one-half of the amount of its capital stock, payable at such time and place, within or without this commonwealth, and bearing such rate of interest, not exceeding such as is permitted by the laws of the place where the same shall be payable, as it may deem proper, and to sell the said bonds at such prices as it may deem for the best interest of the said company, and may secure the payment of said bonds by mortgages or deeds of trust upon its land, works and other property, or any part thereof.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 170.

## A SUPPLEMENT

To an act to incorporate the Junction Railroad Company, passed May the fifteenth, one thousand eight hundred and sixty.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Junction railroad company be and they are hereby authorized to connect their road with the road of the Pennsylvania railroad company, at or near the West Philadelphia water works, in the city of Philadelphia, to use the roadway of the Pennsylvania railroad, and of the West Chester and Philadelphia railroad, or either of them, with the consent of said companies, respectively, and construct a road to connect them, or either of them, with the Philadelphia, Wilmington and Baltimore rail- Privileges and route.

road, at or near Grey's Ferry, or may construct the whole or such parts of their railroad as may be needful, with or without the use of one or both of the roads of the companies aforesaid, to make a complete line of railway from a point on the Philadelphia and Reading railroad, at or near the bridge at Peters's island, to a point on the Philadelphia, Wilmington and Baltimore railroad, at or near Grey's Ferry bridge, by the most convenient and practicable route.

Authorized to  
issue bonds.

SECTION 2. And it may be lawful for said company, for the purpose of constructing the said road, in whole or in part, to issue bonds, as provided by their charter, and secure them by a mortgage upon all their property and franchises; and it shall be lawful for the Pennsylvania railroad company, the Philadelphia, Wilmington and Baltimore railroad company, the Philadelphia and Reading railroad company, and the West Chester and Philadelphia railroad company, or any or either of them, to guarantee the principal or interest, or either, of the said bonds so to be issued, upon such terms as may be agreed on between them.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 171.

## A N A C T

To regulate the Fees of Justices of the Peace of Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the fee of a justice of the peace in and for the county of Cambria aforesaid, for the relief and removal of any pauper to the house for the employment and support of the poor of said county, be and the same is hereby declared to be fifty cents to each justice of the peace who may hear the order for relief, and who may grant the said order of removal.*

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 172.

## A N A C T

Relating to Deer in the county of Centre.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act it shall not be lawful for any person or persons to hunt, chase, pursue, kill and destroy any buck, doe or fawn in the county of Centre, except in the months of September, October and November, under a penalty of sixteen dollars, to be recovered before any justice of the peace, (in the county aforesaid,) in the name of the commonwealth of Pennsylvania, with costs of suit, one-half of said penalty to go to the informer, and the other half to be paid into the treasury of the school fund of the township in which the offence may be committed; and on the refusal of the offender or offenders to pay the same, to be levied of his or their goods and chattels; and if sufficient goods and chattels cannot be found to satisfy the same, then such offender or offenders to be conveyed to the county jail, and there to remain not less than ten days, unless the penalty should be paid in the meantime: *Provided*, That the informer shall be a competent witness, notwithstanding he is entitled to half the penalty: *And provided further*, That any person or persons considering him or themselves aggrieved, shall be entitled to an appeal to the next court of common pleas of said county, within twenty days from the rendition of the judgment.

When deer may not be destroyed.

Penalty.

Proviso.

Proviso.

**SECTION 2.** That hereafter any person or person starting any buck, doe or fawn shall be considered the owner thereof: *Provided*, That he or they shall pursue such buck, doe or fawn in a reasonable time, and continue such pursuit until the same is overtaken.

Person starting deer to be considered owner. Proviso.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 173.

## A N A C T

To vacate Spruce Alley, in the borough of Easton, in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Spruce alley, from Seventh street to Locust alley, in the borough of Easton, running east and west through the lot of ground upon which the new court house is now being erected, be and the same is hereby vacated.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 174.

## S U P P L E M E N T

To an act authorizing the Governor to incorporate a Company for making an Artificial Road from the north end of the bridge over Clark's creek, on the road leading from Harrisburg to Sunbury, across Peter's mountain, to the south end of the bridge over Powell's creek, on the said road, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the office of the Peter's Mountain turnpike road company shall be located and kept at some convenient place along the line of the said turnpike road ; and it shall be the duty of the treasurer and secretary of said company to keep the books and papers of the said company in said office, subject and open to the inspection and examination of the stockholders, and all persons interested therein; and all transfers of stock, payments of dividends, meetings of the board of managers, and all elections of officers of the said company, shall hereafter be made and held at the*

said office: *Provided*, That no stockholder shall be entitled to more than one vote at any such election; and all former law or laws conflicting with this, are hereby repealed.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

### No. 175.

### A SUPPLEMENT

To an act, passed the third day of April, Anno Domini one thousand eight hundred and thirty, relating to Landlords and Tenants.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That so much of said act as requires the lessor to make complaint before any two aldermen or justices of the peace, as the case may require, is hereby repealed; and it shall be lawful for any such lessor, or his authorized agent, to appear before any alderman or justice of the peace of the county, as the case may require, and make such complaint on oath or affirmation, which said complaint shall be sufficient for the said alderman or justice to issue his precept, and to hear and determine the case as fully and effectually as the two aldermen or justices were required to do; and when either one of two aldermen or justices before whom such proceedings shall have been commenced has died, resigned or been removed from office, or from any other cause become unable or disqualified to act, the proceedings may be continued before the other alderman or justice.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 176.

## A SUPPLEMENT

To the act of one thousand eight hundred and thirty-six, entitled "An Act relating to the Attachment of Vessels."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the provisions contained in the act, passed the thirteenth day of June, one thousand eight hundred and thirty-six, entitled "An Act relating to the attachment of vessels," are hereby extended to all manufacturers of iron; and the lien provided by said act shall exist in their favor, with like effect as though originally named therein.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 177.

## AN ACT

To repeal an act relative to Hucksters in Northumberland and Union counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act relative to hucksters in Northumberland and Union counties," approved the fourteenth day of April, Anno Domini one thousand eight hundred and sixty, be and the same is hereby repealed.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 178.

## AN ACT

To repeal an act appointing Commissioners to lay out and open a State Road in the counties of M'Kean and Elk, passed the sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act, passed the sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven, appointing commissioners to lay out and open a State road in the counties of M'Kean and Elk, as relates to the townships of Hamlin and Sergeant, in M'Kean county, and the township of Jones, in Elk county, be and the same is hereby repealed. Repeal.

SECTION 2. That it shall not be lawful for the said commissioners to perform any further duties imposed upon them by said act within the said townships of Hamlin, Sergeant and Jones, except to settle their accounts and expend upon said road, in the said townships, any moneys in their hands unexpended which have been raised by virtue of said act in the said townships. Commissioners to settle their accounts.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 179.

## AN ACT

Relative to the borough of Kutztown, Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sixteenth paragraph of the second section of the act, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs,"

be and the same is hereby repealed, so far as the same applies to the borough of Kutztown, in the county of Berks.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 180.

## SUPPLEMENT

To an act incorporating the city of Harrisburg.

Vacation of  
roads, streets,  
alleys, avenues  
and lanes, rela-  
tive to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the powers and duties conferred upon the commissioners for making a plot or draft of the city of Harrisburg, under sections thirty-three and thirty-four of the act of March nineteenth, one thousand eight hundred and sixty, incorporating the said city of Harrisburg, said commissioners shall have the power to recommend the vacation of any turnpike, state, county or township road, street, alley, lane or avenue within the boundary of said city; and the court of quarter sessions of Dauphin county, upon their approval of said plot or draft, shall have power to declare, from time to time, as public necessity requires, (upon application from the city council, or any person or persons interested therein,) said roads or ways, either in whole or in part, vacated.

Width of the  
same, how estab-  
lished.

Proviso.

SECTION 2. That the width of all streets, alleys or lanes within the limits of said city shall be ascertained, fixed and established as set forth on the plot or draft of the said street commissioners, as approved by the court of quarter sessions: *Provided,* That South street, in front of the public ground, required by the said act of incorporation to be sixty feet wide, shall be and remain of its present width; and that Sixth street, between Market and South streets, required by the said act to be fifty-two and a half feet wide, shall remain of its present width.

Commissioners  
may alter the  
boundaries of  
wards.

Approval of  
court.

SECTION 3. That said commissioners shall also have power to alter the boundaries of the wards of said city, so as to make them conform to said plot or draft, which alterations shall be effectual when approved by said court of quarter sessions.

SECTION 4. That the action of the said commissioners, when approved by said court, shall be valid and effectual, though

interfering with and requiring the removal, either in part or entirely, of any building now erected in the course of any of the said streets, lanes, alleys or highways.

SECTION 5. That any portion of the said act incorporating the said city of Harrisburg, inconsistent with any of the foregoing provisions, be and the same is hereby repealed. Repeal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 181.

## A SUPPLEMENT

To an act to authorize Mortgages of Coal Leases in Schuylkill county, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the provisions of the act, entitled "An Act to authorize mortgages of coal leases in Schuylkill county," approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three, as requires the original mortgage to be filed in the recorder's office, and that a copy of the mortgage, together with a statement exhibiting the interest of the mortgagee in the property mortgaged, be filed in the office aforesaid within the term of one year, be and the same is hereby repealed. Repeal.

SECTION 2. That the lien of all mortgages recorded in pursuance of the provisions of said act shall remain unaffected, notwithstanding a judicial sale hereafter of the property mortgaged under any execution, the lien whereof attaches only by virtue of said execution. The lien of certain mortgages to remain unaffected.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 182.

## A N A C T

Relating to Pleadings in certain Cases in the Courts of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in no case now pending, or that hereafter may be brought, on any joint contract, note, debt or obligation, whether the same has been or may be commenced by summons, *scire facias*, or otherwise, shall the courts of this commonwealth entertain any plea or defence upon part of any heir or heirs, executor or executors, administrator or administrators, that one or more of said joint obligors, contractors, debtors or promissors has deceased since the commencement of or pending suit; but the same shall be proceeded in to judgment and execution against the estate of said decedent, as though the said suit or suits had been commenced against their decedent or decedents alone.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 183.

## A N A C T

To repeal an act to change the name of Brownsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the act, approved April second, one thousand eight hundred and sixty, entitled "An Act to change the name of Brownsville, in

the county of Fayette, to Redetown Old Fort, and for other purposes," be and the same is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 184.

## A SUPPLEMENT

To an act authorizing the Governor to incorporate the Larries Creek Plank Road Company, et cetera, approved the eighth day of May, one thousand eight hundred and fifty, and the several supplements thereto.

WHEREAS, The said Larries Creek plank road company, by *Preamble.* authority of the fourth section of an act, entitled "A supplement to the act incorporating the Larries Creek plank road company," approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-three, did borrow six thousand dollars, and for security therefor executed a mortgage pledging the tolls receivable on said road; and by authority of an act, entitled "An Act to authorize the Larries Creek plank road company to borrow money," approved the twenty-ninth day of April, one thousand eight hundred and fifty-four, did borrow a further sum of six thousand dollars, and to secure the same, mortgaged the said road, its rights, privileges and franchises, which several mortgages were duly recorded in the register's office in and for Lycoming county, in mortgage book C, pages seven hundred and fifteen and seven hundred and sixteen:

*And whereas,* By legal proceedings instituted in the court of common pleas of Lycoming county upon the mortgages aforesaid, the Larries Creek plank road, its rights, privileges and franchises were sold by the sheriff of Lycoming county to John J. Sanderson, Esq., who associated with him all such of the original stockholders who were willing to advance their proportionate share of the said twelve thousand dollars, interest and costs, and organized the company by the election of officers, on the first Monday of November, one thousand eight hundred and fifty-nine, and have paid and satisfied both of the aforesaid mortgages, have caused the said road to be put in good order and repair, and are in the peaceable and unmolested occupation and enjoyment of the said road, its rights, privileges and franchises; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said John J. Sanderson and his associates, as now organized and constituted, are declared to be one body politic and corporate, in deed and in law, by the name, style and title of the Larries Creek plank road company, with all the rights and privileges, and subject to all the provisions and restrictions granted to the Larries Creek plank road company by the said act of the nineteenth of April, one thousand eight hundred and fifty-three, and all the several supplements thereto, as fully, amply and effectually as if the same were hereby re-enacted.

**SECTION 2.** That the proviso to the thirteenth section of the act, entitled "An Act regulating turnpike and plank road companies," approved January twenty-sixth, one thousand eight hundred and forty-nine, as follows: that no toll shall be demanded from any person or persons passing and repassing from one part of his, her or their farm to any other part of the same, shall not be construed to apply to persons owning timber lands upon said plank road, and hauling their logs or lumber upon the same, either for the purposes of manufacture, or for market: nor shall any person or persons have the right to drag logs or lumber upon said plank road, without special permission from said company.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 185.

## A SUPPLEMENT

To an act appointing Commissioners to lay out and open a State Road in the counties of Potter and M'Kean, approved on the eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That G. B. Overton, A. F. Jones and Chauncy Moore are hereby appointed commissioners to assess damages sustained by persons owning lands through which said road passes, who shall report to the court of common pleas of Potter county, at the Septem-

Commissioners to  
assess damages.

Report.

ber session, Anno Domini one thousand eight hundred and sixty-one; and when said damages so assessed and reported shall have been paid by commissioners of said road, out of the fund raised for the building of said road, the said road commissioners shall have power to proceed immediately to open said road, and said road shall be considered and deemed a legally laid out road, and no exception shall thereafter be filed to the legality of said road: *Provided*, That said commissioners, herein appointed to assess said damages, shall take into the account, in assessing said damages, the benefit to said property through which the said road shall pass, in consequence of the building of said road; and that said commissioners, herein appointed to assess damages, shall receive, in full compensation for their said services, the sum of two dollars per diem, to be paid by the commissioners to lay out and open said road out of the road fund. Road, when opened.

SECTION 2. That the road commissioners appointed in said act to which this is a supplement, shall hereafter receive the sum of two dollars per diem as a full compensation for all services rendered in discharge of the duties incumbent upon them as said commissioners, including all expenses incurred by them in discharging said duties; and that for services heretofore rendered by said road commissioners in laying out said road, they shall be paid by the commissioners of the county of Potter, out of the funds of said county of Potter, for all reasonable expenses incurred by them in laying out said road, including boarding, and all other expenses necessarily incurred, in addition to the sum of one dollar and fifty cents per diem, which they are entitled by said act to receive. Compensation.

SECTION 3. That the five mills on the dollar of the road tax levied on unseated lands in the township through which the said road shall pass, or in which it shall terminate, referred to in the third section of the act to which this is a supplement, shall be construed to mean one-half of the whole amount of road tax levied upon the unseated lands lying in the township through which said road shall pass or terminate, during the period mentioned in said section. Road tax on unseated lands, how construed.

SECTION 4. That the provisions of the eighth section of the act to which this is a supplement, be and the same are hereby extended to the county of Cameron. Certain provisions extended to Cameron county.

SECTION 5. That it shall be lawful for the commissioners named in the first section of the act to which this is a supplement, to borrow any sum of money, not exceeding ten thousand dollars, and to issue bonds therefor, in sums not exceeding one hundred dollars each, bearing interest of six per cent. per annum: *Provided*, That such sum of money so borrowed shall be appropriated to meet the expenses of making said turnpike road. Authorised to borrow money.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 186.

## A N A C T

Declaring the West Fork of the Clarion river, above Buena Vista, in Elk county, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the West Fork of the Clarion river, above Buena Vista, and the several tributaries thereto, in the counties of Elk and M'Kean, be and the same are declared to be a public highway for the passage of rafts and logs; and it shall be lawful for any person or persons owning land upon said streams to change the channel or course of said streams, and to erect dams upon the same, for the purpose of improving the navigation: Provided, That in making such changes and improvements, no damage shall be done to improved property along said streams.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 187.

## A N A C T

To extend the time for completing the Butler and Freeport Turnpike Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for the completion of the Butler and Freeport turnpike road is hereby extended for a period of five years, to be computed from the first day of April, one thousand eight hundred and sixty-one.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 188.

## A N A C T

Relating to Dog Tax in the township of Thornbury, in Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, passed April fifteenth, one thousand eight hundred and forty-five, entitled "An Act relating to dog tax in certain townships in Delaware county," be and the same is hereby repealed, as far as the same relates to the township of Thornbury, in said county; and that the act of assembly, passed February eighth, one thousand eight hundred and sixty, entitled "An Act relating to dog tax in Thornbury township, Delaware county," be and the same is hereby repealed.

SECTION 2. That all unpaid orders issued previous to the second above cited act of assembly for damages done to sheep by dogs in the said township of Thornbury, shall be paid by the supervisors of the said township, out of any funds of the said township which now are or shall hereafter be in their hands. Supervisors to pay certain orders.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 189.

## A N A C T

Relative to the Farm of Jacob Allwine, in Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, approved the sixteenth day of April, eighteen hundred and fifty-eight, entitled "An Act relative to the farm of Jacob Allwine, in Westmoreland county," be and the same is hereby repealed.

**To be included in Penn township.** SECTION 2. That for the purposes of taxation, elections and schools, and all other purposes of local citizenship, the said Jacob Allwine, and his land, which is situated in either Hempfield or Penn township, shall be included in the said township of Penn, and be a part thereof.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 190.

### A FURTHER SUPPLEMENT

To the act to incorporate the Harrisburg Female Seminary, passed the eighteenth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of the eighth of May, one thousand eight hundred and fifty-four, exempting from taxation, for a certain period, the building and lot of ground, with the appurtenances, situate in the borough of Harrisburg, occupied by the Harrisburg female seminary, be and the same are hereby extended and continued in force, so as to exempt the said premises from taxation during the lease of the present occupant.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 191.

AN ACT

Relating to the Office of Interpreter for the several Courts in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the interpreter of the German and French languages for the several courts of Allegheny county be and he is hereby required to attend daily upon said courts during the whole time of the sessions, for jury trials, in the criminal courts of said county; and for his services as interpreter he shall receive the sum of two dollars per day during the time of the sessions for jury trials of said criminal courts, to be paid by the county of Allegheny; and in every case in which said interpreter shall be called, the party calling him shall be required to pay to the county of Allegheny the sum of two dollars, to be taxed and recovered as costs are now taxable and recoverable in civil and criminal cases.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 192.

AN ACT

To authorize the President and Directors of the Citizens' Passenger Railway Company of the city of Philadelphia, to sell and convey certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and directors of the Citizens' Passenger railway company of the city of Philadelphia be and the same are hereby authorized to grant, bargain and sell, lease, release, convey and*

confirm to such person or persons, and for such consideration, price or prices as they may deem proper, all or any part of their lot of ground situate on the west side of Tenth street, in the city of Philadelphia, beginning at the distance of three hundred feet northward of the north-west corner of Tenth and Montgomery; thence extending along Tenth to Berks street, and being in depth westwardly one hundred and seventy-three feet to a forty feet wide street; and that the vendee or vendees of said property be and they are hereby vested with the fee simple title of, in and to the same, their heirs and assigns, forever.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 193.

## AN ACT

To change the Name of Ben Welch.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Ben Welch, of the city of Philadelphia, be and is hereby authorized to change his name to Benjamin Garrettson Welch, and shall henceforth be called and known by the name of Benjamin Garrettson Welch, and by that name shall be able and capable in law to sue and be sued, grant, receive, take and inherit any estate, real or personal, and to do all other legal acts as effectually, to all intents and purposes, as he could have done by his former name if no change had been made therein: Provided, That the enrolment tax required to be paid by act of assembly of April sixteenth, one thousand eight hundred and forty-five, shall not be charged on this act.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 194.

## AN ACT

To amend the Charter of the borough of Catasauqua.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of said borough shall, at the next annual election of borough officers, elect six persons, citizens of said borough, to serve as members of the town council, as follows, viz: Two persons to serve for one year, two persons to serve for two years, and two persons to serve for three years, and annually thereafter two persons to serve as aforesaid for three years, and until their successors are duly elected and qualified; and in case of any vacancy occurring by the death, resignation or removal of a member, or otherwise, the said council shall have power to appoint a proper person to fill said vacancy until the next annual election of borough officers, when the electors shall elect a person to serve for the unexpired term: *Provided,* That the several terms of said members shall be decided at their first meeting, by lot, under the supervision of the burgess: *And provided further,* That four of said members shall constitute a quorum for the transaction of business.

Election of town councilmen.

Vacancy.

Proviso.

Proviso.

SECTION 2. That in the absence of the burgess of said borough, or in case of his inability to act, or if a vacancy in said office shall occur, the said council shall choose a president, who shall, during such absence, inability or vacancy, possess and exercise the powers and perform the duties enjoined upon and possessed by said burgess, and shall be entitled to the same fees that are allowed to the burgess for like services.

Council may choose a president when burgess absent.

SECTION 3. That so much of the act incorporating said borough as authorizes the election of a high constable by the citizens thereof, be and the same is hereby repealed; and that hereafter it shall be the duty of said council, annually, to appoint said officer, and fix his compensation: *Provided,* That nothing in this act shall be so construed as to prohibit the person elected as borough constable, from discharging the duties of high constable of said borough.

Repeal.

Council to appoint high constable. Proviso.

SECTION 4. That the qualified electors of said borough shall hereafter elect but one person to serve as supervisor.

Supervisor.

SECTION 5. That so much of the charter of said borough as is inconsistent with this act, be and the same is hereby repealed; this act to take effect from its passage.

Repeal.

SECTION 6. That the general, special and borough elections of said borough shall hereafter be held at the building now occupied by the Humane fire company, in said borough.

Place of holding elections.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 195.

## A SUPPLEMENT

To an act incorporating the borough of Saint Marys, in the county of Elk, approved the third day of March, one thousand eight hundred and forty-eight.

**Boundaries.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this supplement, the boundaries of the borough of Saint Marys, in the county of Elk, be as follows, viz: Beginning at a post on the eastern side of Saint Mary's street, four hundred feet south of Adolph Stockmann's lot, said post dividing town lots, numbers eight and ten, on said Saint Mary's street; thence east fifteen rods to a post; thence north forty degrees east eighty-nine rods to a post; thence north two hundred fifty-two rods and one-half of a rod to a post; thence west one hundred and fifty-six rods to a post on the rear line of town lots on Saint Michael street; thence north forty-five degrees west along said rear line of town lots on Saint Michael street one hundred and eighteen rods to a post; thence south eight degrees west partly along the line of the church farm two hundred and eighty rods to a post, being the rear corner of town lots dividing numbers sixty-nine and seventy-one on Centre street; thence south twenty-four degrees east fifty-six rods to a post; thence south eighty-four rods, more or less, to a post on a line running west from the dividing line of town lots, numbers eight and ten, on Saint Mary's street; thence east along said line, one hundred and ninety-eight rods, more or less, to the place of beginning.

**Borough election, time of.**

SECTION 2. That from and after the passage of this supplement, the borough election for the election of borough officers, as designated in the charter of said borough, be held on the first Monday in April.

**Council.**

SECTION 3. That the borough council of the borough of Saint Marys shall consist of six members, who shall be elected at the spring election for officers of said borough, as follows: Two to serve three years, two to serve two years, and two to serve one year, and annually thereafter two shall be elected to serve three years.

**Lock-up house.****Purposes of.**

SECTION 4. That the chief burgess and town council of the borough of Saint Marys be and they are hereby authorized and empowered to erect a lock-up house in said borough, and appropriate the same for the security and temporary detention of persons committed by justices of the peace or burgess of said borough, for any violation of the laws of this commonwealth, or of the ordinances of said borough, for which such person or persons could be lawfully committed to the common jail of the county, there to be kept until such offender or offenders can be removed to the common jail of the county, if committed for an indictable offence: *Provided,* That no person shall be confined

**Penalty.**

for a longer period than forty-eight hours at any one time in said lock-up house, except such person be charged with an indictable offence, and it be necessary to detain such person or persons for further examination.

SECTION 5. That every enactment, regulation, ordinance or other general law enacted and made by the chief burgess and town council of the borough of Saint Marys, be published by no less than twelve printed or written advertisements, to be put up in the most public places, as long as there is no regular newspaper published in the borough of Saint Marys, at least ten days before the same shall take effect. Publication of ordinances.

SECTION 6. That in addition to the powers granted to said borough by the act incorporating the same, and this supplement, the corporation and its several officers shall possess, perform and exercise all the powers, jurisdictions and duties conferred and enjoined on borough and borough officers by the general law respecting boroughs, passed the third day of April, one thousand eight hundred and fifty-one, so far as the same may not be contrary to or inconsistent with the laws now in force in said borough. Additional powers granted.

SECTION 7. That so much of any other act or acts as is inconsistent herewith, be and the same is hereby repealed, as far as it relates to the said borough of Saint Marys. Repeal.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 196.

## A SUPPLEMENT

To the act incorporating the borough of Port Clinton, and for other purposes, approved the fifteenth day of April, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the original charter of incorporation of the borough of Port Clinton, in the county of Schuylkill, shall be so amended as to embrace within the corporate limits of said borough, in addition to the territory already included, the following described territory, to wit: All that certain tract or piece of land, twenty-two acres, more or less, known as the tract deeded by John Schall to John Horn, junior; also



all that certain tract or piece of land, fifteen acres, more or less, known as the tract deeded by the said John Schall to Samuel Boyer, Jonas Fryer and Daniel Fryer; also that part of a certain tract of land now held and owned by the Schuylkill navigation company, lying and being west of the following described line, and east of the Centre turnpike, beginning at the south-east corner of the above mentioned tract or piece of land owned by Samuel Boyer and others; thence south forty-two degrees west forty-six perches to a stone; thence south twenty-five degrees west sixty-seven perches to a large rock; thence south ten degrees west fifteen perches to a stone; thence south eighty-four degrees west six perches to Centre turnpike, intersecting the former borough line directly opposite and in front of a certain stone house now owned by James Gaynor, Esq.; and further, that all acts and parts of acts inconsistent herewith, be and the same are hereby repealed.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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## No. 197.

### A N A C T

Relating to the Easton Library Company, in Northampton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if any stockholder of the Easton library company who is now or shall hereafter be in arrear to the company for the space of three years, for the instalments assessed upon his or her share, after thirty days' notice, given in one of the newspapers printed at Easton, requiring the same to be paid at a day and place therein appointed by resolution of the board of managers, shall neglect to pay such arrearages, the share or shares aforesaid shall be forfeited to the company, and may be sold under the direction of the managers.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 198.

## A N A C T

To authorize the Commissioners of Blair county to borrow money.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of the county of Blair be and they are hereby authorized to borrow a sum of money, for county purposes, not exceeding ten thousand dollars, for such time and at such rate of interest as may be agreed upon by the contracting parties, not exceeding seven per cent. per annum.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 199.

## A FURTHER SUPPLEMENT

To an act relating to Roads in Middletown township, Delaware county, and for other purposes, approved the twenty-second day of March, one thousand eight hundred and forty-five.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That John Neiman, Joseph Grove and William S. Picking, of York county, are hereby appointed commissioners to review that part of the state road leading from the south end of the bridge over Yellow Breeches creek, on the road from Dillsburg to Carlisle, near Latshore's, now Griffith's mill, in Cumberland county, to the York and Gettysburg turnpike, west of the borough of York, lying and being between the point where the York and Shippensburg road intersects the same, to a point opposite the dwelling house of George Witright, in Dover township, and to change the location of the said road between the said points, if they shall deem such change advisable.*

*Commissioners to review road.*  
*Route.*  
*May change location.*

Compensation,  
how paid.

SECTION 2. That said commissioners shall receive the same pay, and be subject to the same provisions, as provided for the original commissioners to view and lay out the said road by the sixth section of the act to which this is supplementary, excepting that the whole of said expense shall be paid out of the treasury of York county.

Duties and powers of commissioners.

SECTION 3. That said commissioners shall, before entering on their respective duties, be severally sworn or affirmed as required by the existing road laws of the commonwealth in case of county roads; and they shall make a fair and accurate draft of such change of location, and deposit the same in the office of the court of quarter sessions of said county on or before the first day of July next; and if any vacancy shall happen in the board of commissioners, by resignation or otherwise, the remaining commissioner or commissioners shall have power to supply such vacancy or vacancies by appointment.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 200.

## AN ACT

To authorize the Supervisors of Conestoga and Martic townships, in Lancaster county, to pay one-third of the cost of erecting certain Bridges over Pequea creek.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supervisors of the townships of Conestoga and Martic, in the county of Lancaster, be and are hereby authorized to pay, out of the township road taxes, one-third of the cost of the erection of a bridge over the Pequea creek, where said creek divides said townships, at Shoff's fording, the one-third cost of such erection to be paid by the supervisors to the county commissioners, and by them applied to the payment of said bridge.*

SECTION 2. That the said supervisors of said Conestoga and Martic townships, in the county of Lancaster, be and are hereby authorized to pay, out of the township road taxes, one-third of the cost of the erection of a bridge over the Pequea creek, at or near

its mouth, and at or near Samuel Harnish's saw mill, the one-third cost of such erection to be paid by the supervisors to the county commissioners, and by them applied to the payment of said bridge.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 201.

# AN ACT

Repealing portions of an act to prevent the destruction of Fish in the county of Lawrence, approved February sixteenth, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act, entitled "An Act to prevent the destruction of fish within the county of Lawrence," approved the sixteenth day of February, Anno Domini one thousand eight hundred and sixty, as prevents the catching of fish by any other means than with seines, be and the same is hereby repealed.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 202.

## AN ACT

To confer increased powers upon the Commissioners of Highways in the township of Herrick, Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of highways in the township of Herrick, Bradford county, shall have the same jurisdiction and authority over that part of the state road lying in said township, and west of the East Herrick church, that they have over other highways.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 203.

## AN ACT

To provide for the erection of a Bridge over the Lackawanna river, near the village of Oliphant, in the township of Blakeley, and county of Luzerne.

## Preamble.

WHEREAS, During the recent heavy flood a bridge across the Lackawanna river, near the village of Oliphant, in the township of Blakeley, and county of Luzerne, was swept away, which bridge had been previously built by the county of Luzerne :

*And whereas,* The expense of building another bridge at the same point is greater than the commissioners of the said county feel authorized to incur, while at the same time the whole cost of erecting such bridge would be unjust and burdensome to the citizens of said Blakeley township ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the commissioners of Luzerne county to

contribute and pay out of the funds of the said county, the sum of fifteen hundred dollars towards the erection of a bridge over the Lackawanna river, at the village of Oliphant, in the township of Blakeley, and county of Luzerne: *Provided*, That said bridge shall be built under the control and directions of the commissioners of said county, in the same manner as provided by the laws of this commonwealth in relation to county bridges. Commissioners authorised to pay certain amount towards erection of bridge. Proviso.

SECTION 2. That it shall be lawful for the supervisors of the township of Blakeley aforesaid, and they are hereby required and enjoined, to levy and collect a special tax, not exceeding the sum of one thousand dollars, out of the taxable property in the said township, according to the present adjusted valuation, which shall be appropriated, under the direction of the commissioners of Luzerne county, to the building of a bridge over the Lackawanna river, at the point named in the first section of this act. Special tax. Limitation.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 204.

## AN ACT

To authorize the appointment of additional Notaries Public in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor be and he is hereby authorized and empowered to appoint two additional notaries public for this commonwealth, to reside in the city of Pittsburg.*

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 205.

## A N A C T

For the improvement of the Breed of Sheep in certain counties, extended to the county of Westmoreland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to improve the breed of sheep in certain counties in this commonwealth," approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and thirteen, be and the same is hereby extended to the county of Westmoreland: Provided, That the penalty prescribed in the first section of the act to which this is an extension, shall be five dollars instead of two.*

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 206.

## A N A C T

For the payment of the expenses of the Committee in the Contested Election case of Lewis Pughe.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and is hereby authorized and required to pay to each member of the committee in the contested election case of Lewis Pughe, the sum of fifty dollars for their expenses incurred in visiting Luzerne county in relation to said case:*

*Provided*, That the members of said committee shall not receive mileage.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 207.

A FURTHER SUPPLEMENT

To the act relating to Roads and Bridges in the county of York, approved the 17th day of February, A. D. 1860.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the seventh section of the act to which this is a further supplement, which makes it the duty of the supervisors of the several townships, and other persons having charge of the highways in incorporated boroughs, to keep in repair all bridges built, or that may hereafter be built, by the county commissioners, at the charge of the county, shall be so construed as to require the said repairs to be made at the expense of the said townships and boroughs respectively, when said expenses shall not, in the case of any one bridge, exceed the sum of fifteen dollars, and all such expenses over and above said sum shall be paid by the county: Provided, That whenever it shall become necessary to re-build any county bridge, the same shall be done by said commissioners.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 208.

## AN ACT

For the relief of Ruth M'Coy, widow of Daniel M'Coy, an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay Ruth M'Coy, of Paradise township, Lancaster county, the widow of an old soldier, or to her order, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, one thousand eight hundred and sixty-one, and payable half yearly thereafter on the first day of January and July.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 209.

## AN ACT

Relative to County Bridges in Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the commissioners of the county of Crawford, to repair all accidental damages to the county bridges of said county, which may have been or shall hereafter be caused by the violence of floods, fires, winds or otherwise, and to repair the same when dangerous or impassable from decay.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 210.

## SUPPLEMENT

To an act to incorporate the Marietta and Maytown Turnpike Road Company, approved April fifteenth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Marietta and Maytown turnpike road company have authority, instead of the tolls specified in the general turnpike law of one thousand eight hundred and forty-nine, to levy and collect not exceeding the following rates of toll, viz: For each hog or sheep, one-half cent; for each head of horned cattle, one cent; for each led horse, two cents; for each horse and rider, sled, sleigh, sulky or cart, three cents; for each horse and buggy, carriage or wagon, five cents; for two horses and buggy, carriage or wagon, eight cents; for three horses and ditto, ten cents; for four horses and ditto, twelve cents, and for five or six horses and wagon, fifteen cents, from each and every person riding, leading, driving or hauling through the gate-way of said company.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 211.

## AN ACT

Relative to the claim of Charles Carter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the auditor general, state treasurer and attorney general, be and they are hereby authorized and required to examine the claim of Charles Carter, of Beaver county, for services as foreman on

## LAWS OF PENNSYLVANIA,

the Allegheny Portage railroad, during the year one thousand eight hundred and fifty-six, and after such examination, shall report the amount they find due (if any) said Carter to the legislature at its present session.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 212.

## A FURTHER SUPPLEMENT

To the act to erect Phoenixville, in Chester county, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the burgess of the said borough of Phoenixville shall neither sit nor act as a member of the town council, but said council shall elect one of their number to preside over their deliberations; and so much of the act to which this is a supplement, as is inconsistent herewith, be and the same is hereby repealed.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 213.

## A N A C T

To authorize the Dundee Coal Company to borrow money, and reduce its capital stock.

WHEREAS, The Dundee coal company, in the county of Luzerne, have expended a large amount in the purchase of coal lands, and preparing the same partially for mining, but are unable to complete said preparations without borrowing funds for such purpose. Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Dundee coal company, for the purpose of completing their preparations for mining, may sell and dispose of the bonds they are now authorized by law to issue, not exceeding, including what they have already issued, the sum of sixty thousand dollars, at such rate of discount, from the face or par of the same, (the said company to be taxable for the full amount or par thereof,) as the directors of said company may deem expedient and find necessary, and that the provisions of this act, in authorizing the sale of bonds under par, shall extend to bonds already issued by said company. May dispose of bonds at discount.  
Limitation.

SECTION 2. That it shall and may be lawful for the stockholders of said company, at a meeting to be called for the purpose, after due notice of three weeks by publication in two newspapers of said county, to reduce the capital stock of said company to a sum not less than one hundred thousand dollars: *Provided,* That the holders of two-thirds of the stock represented at said meeting shall agree to the same. Reduce capital stock.  
Proviso.

SECTION 3. It shall and may be lawful for said company to lease and hold any coal lands for the purpose of mining coal therefrom, to the number of acres not exceeding what they are now authorized by law to hold. Coal lands.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 214.

## A FURTHER SUPPLEMENT

To an act to incorporate the Lackawanna and Susquehanna Railroad Company.

Board of managers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Jessup and Benjamin S. Bentley, of Susquehanna county; A. T. M'Clintock, H. S. Pierce, A. N. Meylert, and Joseph H. Scranton, of Luzerne county; John Torrey, of Wayne county; Thomas J. Glover, of New York, and Benjamin T. Reed, of Boston, are hereby constituted the board of managers of the Grassy Island coal and railroad company, erected by the act of assembly passed the sixth day of April, Anno Domini one thousand eight hundred and fifty-eight, to hold their offices until other managers are chosen, agreeably to the provisions of the laws erecting said company; and the said board of managers, when duly organized, may issue stock to such persons as are entitled to the same as bondholders interested in the purchase of the property of the Lackawanna railroad company, according to the interests held by said purchasers therein.

May issue stock to certain parties.

Debts of Lackawanna railroad company, how paid.

SECTION 2. That said company, upon being organized as before provided, shall be liable to pay such debts of the Lackawanna railroad company only as are required by the said act, and shall only be required to pay said debts in the stock of said company, of equal *pro rata* value as that held by said bondholders, and subject to such assessments upon the amount of said debts for costs and expenses, as has been or may be paid by the said stock held by the said bondholders: *Provided*, That no debt shall be entitled to be paid as aforesaid, unless the same be demanded at the office of the company, or of the president, treasurer or secretary thereof, within six months after said company shall, by public notice in a newspaper printed in the county of Luzerne, call for the same.

Proviso.

Empowered to borrow money.

SECTION 3. That the said company may borrow money, not exceeding fifty thousand dollars, at a rate of interest not exceeding ten per cent., and may secure the same by mortgage of the real and personal estate, railroad and franchises of said company, or in any other manner they may deem expedient.

Votes, relative to.

SECTION 4. That at all general or special meetings of the stockholders, each share of stock shall entitle the holder thereof to one vote. Stockholders may vote in person or by proxy, but all powers to vote by proxy shall be given at least thirty days prior to any general meeting of the stockholders. That the board of managers shall hereafter consist of nine, instead of ten, as provided in the act to which this is a supplement; a majority of whom shall constitute a quorum for the transaction of business. The president shall be selected from and elected by the board of managers, and the treasurer and secretary may be

Officers.

chosen from and shall be elected by the board of managers; and it is hereby declared that no previous act shall be so construed as to require the further extension of said railroad; and that so much of any act as is altered or supplied by this act, be and the same is hereby repealed. No further extension of road.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 215.

## A SUPPLEMENT

To an act to incorporate the Commonwealth Insurance Company, at Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the par value of the capital stock of the said company, be and the same is hereby reduced to the sum of twenty-five dollars per share.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 216.

## A FURTHER SUPPLEMENT

To an act, entitled "An Act incorporating the Lykens Valley Railroad and Coal Company, in Dauphin county," passed on the seventh day of April, one thousand eight hundred and thirty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the said company shall have power to extend their railroad from its present eastern terminus, at or near Bear Gap, in Williams valley, up Williams valley to any point or points in said valley; also the power to make a branch or branches thereto, from said terminus, at or near Bear Gap, along the Short mountain west, and thence into Lykens valley east, to Roush Gap, in said Lykens valley, as they may deem necessary to accommodate the coal trade to and from the Lykens valley coal field; and also that it shall be lawful for the stockholders thereof, at any meeting summoned by the managers, to authorize the president and managers to increase the capital stock of said company to any amount not exceeding, in the whole, the sum of eight hundred thousand dollars; whereupon the said president and managers may increase the said capital stock accordingly, and sell or dispose of the new stock thus authorized, at their discretion, and issue certificates therefor in the usual form.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 217.

## AN ACT

To incorporate the Saint Paul's Evangelical Lutheran Church, of Upper Mount Bethel township, in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the members of the Saint Paul's Evangelical Lutheran church, of Upper Mount Bethel township, in the county of Northampton, are hereby erected into a body politic and corporate, in deed and in law, by the name and style of the Saint Paul's Evangelical Lutheran church, of Upper Mount Bethel township, in the county of Northampton. Incorporation.  
Name.

SECTION 2. That the said corporation, by their name and style, shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in all courts of law or elsewhere; shall be able and capable in law and equity, to take, purchase, hold and receive, to them and their successors, for the use of said congregation, lands, tenements, goods and chattels, of whatsoever kind, nature or quality, real, personal or mixed, which now are or shall hereafter become the property of said corporation, or be held for their use, by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person whomsoever capable of making the same, and the same to grant, bargain, sell, mortgage, improve or dispose of for the use and benefit of the said congregation: *Provided*, That the yearly value or income of the said estate shall not, at any time, exceed one thousand dollars, and shall not be used for any other than benevolent or religious purposes. Privileges.  
Proviso.

SECTION 3. That the secular business of the said corporation shall be conducted by the vestry, consisting of six elders and four deacons, and the officiating pastor, of whom six shall be a quorum; and the following named persons shall be elders and deacons until others are or shall be elected, as is hereinafter provided, to wit: Jacob Dietterick, Daniel Emery, John J. Richards, Jesse Pearson, Abraham Beck, Reuben Schock, Christian Brad, Ephraim Dutt, William Jacoby and John C. Pearson, who shall continue in office until Easter Monday, in the year of our Lord one thousand eight hundred and sixty-one, on which day the male members of the congregation, qualified to vote, shall elect six persons to serve as elders, two shall serve for three years, two for two years, and two for one year; the term of service to be designated by the electors on their ballots; also four deacons, two to serve for two years, and two for one year, and their places respectively shall be filled at the annual election, to be held for that purpose, on that day in every year thereafter, for the election of two elders and two deacons as above stated: *Provided*, That in case of vacancy by death or otherwise, the remaining vestry shall appoint a person to supply the same until the next election. Officers.  
Elections, time and mode of.  
Proviso.

SECTION 4. That if the members of the church neglect, on the day of the annual election, to hold their election as is herein directed, the said corporation shall not be dissolved, but the vestry may appoint any subsequent time, not exceeding four weeks, at which the election may be held: *Provided*, That in case the vestry shall neglect or refuse to call a meeting for the purpose of holding an election, as is directed in this act, then members, qualified to vote, may call a meeting for the purpose of holding such election, by giving two weeks' notice of the time, place and object of such meeting. Vestry may appoint time for election.  
Proviso.

SECTION 5. That the congregation of said church, or a majority of the male members thereof, shall have full power to By-laws.



Seal.

Proviso.

Report.

Enrolment tax.

make, and enact, and enforce, such by laws and ordinances as they shall think proper for their own government, and for the regulation and transaction of the business of said congregation, and to make use of and have a common seal, and the same to break, alter and renew at their pleasure: *Provided*, That the said rules, by-laws and ordinances shall not be contrary to this charter, or to the constitution and laws of this commonwealth, or of the United States.

SECTION 6. That the vestry of said church shall regularly submit a report of their acts and proceedings at each annual election.

SECTION 7. That on the payment into the state treasury of the sum of ten dollars, the secretary of the commonwealth is hereby authorized to enrol this act among the laws, and grant a certified copy of the same.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 218.

## A N A C T

To incorporate the Bald Eagle Valley Railroad Company.

Preamble.

WHEREAS, By virtue of certain proceedings in the supreme court of Pennsylvania, and in pursuance of a decree of the said court, the whole of the railroad of the Tyrone and Lock Haven railroad company, and its branches, as the same are now surveyed, laid out, and, in part, graded, built and constructed, together with its corporate rights and franchises, tracts of land, rights of way, and its appurtenances, and all its property, both real and personal, were sold at public sale, at the Merchants' Exchange, in the city of Philadelphia, on the twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one, and Philip M. Price became the purchaser thereof; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Philip M. Price, and such persons as he may associate with himself for the purpose, be and they are hereby constituted a body politic and corporate, in deed and in law, under the name

and style of the Bald Eagle Valley railroad company; with all the rights, powers, privileges, immunities, franchises and appurtenances heretofore granted to and conferred upon the Tyrone and Lock Haven railroad company, by any act or acts of assembly whatsoever, and subject to all the restrictions now imposed upon the said company, except so far as such rights, powers, franchises and restrictions are extended, modified or restricted hereby; and the said Bald Eagle Valley railroad company shall have, hold and enjoy the said property and corporate franchises in as full and ample a manner as the same were held by the Tyrone and Lock Haven railroad company, with all the powers, and subject to all the restrictions of an act regulating railroad companies, passed the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except as is herein altered or supplied.

SECTION 2. That the capital stock of the said the Bald Eagle Valley railroad company shall consist of ten thousand shares, of fifty dollars each, with the right, power and privilege, on the part of the stockholders of said company, of increasing the same to any amount, not exceeding, in the whole, twenty thousand shares, in such manner and at such time or times as the stockholders may deem expedient; and it shall be lawful for any individuals, co-partnerships or corporations to become subscribers to or purchasers of said stock.

SECTION 3. That the said purchaser and those whom he may associate with himself, or a majority of the same, shall, within thirty days after the passage of this act, meet in the borough of Lock Haven, and organize said company, by the election of a president and six directors, to manage its affairs, at which election each person shall be entitled to vote in proportion to the amount of interest he may have in said company, and the said president and directors shall continue in office until the second Monday in January next succeeding such election, when, and annually thereafter, on the said day, an election of president and six directors only shall be held by the stockholders, to serve for one year, in accordance with the provisions of the said act regulating railroad companies, passed the nineteenth of February, Anno Domini one thousand eight hundred and forty-nine; and on the organization of said company, it shall be lawful for the said Philip M. Price to convey to the said corporation all of the said property, rights and franchises so as aforesaid purchased and acquired by him, and to execute and deliver a deed for the same, together with all the rights, powers, franchises and appurtenances vested in him as aforesaid, and on the delivery of said deed, to receive from said corporation, in payment therefor, certificates of its capital stock for such an amount as may be agreed upon between him and said company.

SECTION 4. That the president and directors of the said the Bald Eagle Valley railroad company, be and they are hereby authorized to borrow any sum or sums of money not exceeding five hundred thousand dollars, and to issue their bonds therefor in sums of not less than one hundred dollars each, with or without interest coupons attached, at such rates of interest and time

Powers.

Subject to.

Capital stock.

Election of officers.

Philip M. Price authorized to convey property purchased.

To receive in payment certificates of stock.

May borrow money.

**Bonds.**

or times of payment as they may determine, and to sell and negotiate the said bonds at such prices, upon such terms and in such manner as they may deem expedient, and also to secure the payment of the said bonds by mortgaging their railroad, together with all its corporate rights and franchises, and the whole or any part of their property, whether real or personal, to such trustee or trustees as they may select; and in case of a sale, under the said mortgage, the purchaser or purchasers shall acquire all the franchises and property so mortgaged, as fully and effectually as they were held by the said company at the time of the execution of such mortgage.

**Mortgage.**

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 219.

## A FURTHER SUPPLEMENT

To the act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in case of a vacancy occurring in the select or common councils of the city of Philadelphia, between the passage of this act in the sixteenth day of December, 1861, the remaining members of each branch of said councils shall choose a person to fill said vacancy, who shall serve the term of him whom he shall succeed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 220.

## AN ACT

To incorporate the Weaver Skating Club.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Peter V. Weaver, Gustavus Caldwell, Charles H. Lex, James A. Gowie, Jacob Lewis, John A. J. Lewis, William D. Deal, William F. Scheible, Cornelius M. Warner, John Megee, William Winchester, Thomas Weaver, William M. Linn, Eyre W. Keyser, John P. Miller, Joseph Mountain, junior, G. W. Kohl, Robert Armstrong, William Bennett, and all and every person who shall, at the time of the passing of this act, be members of the association called the Weaver skating club, shall be and they are hereby created and declared to be one body politic and corporate, by the name, style and title of the Weaver skating club of Philadelphia, and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all the courts of record or elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels, of what nature, kind or quality soever, real, personal or mixed, or choses in action, and the same from time to time to sell, grant, devise, alien or dispose of; and also to make and have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter or the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of the said corporation, and the due management and ordering of the affairs thereof: *Provided,* That the clear yearly value or income of the real and personal estate of the said corporation shall not exceed the sum of two thousand dollars.

**SECTION 2.** That the object of the association shall be instruction and improvement in the art of skating, the cultivation of a friendly feeling in all who participate in the amusement, and the efficient use of proper apparatus for the rescue of persons breaking through the ice.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

**APPROVED**—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 221.

## A SUPPLEMENT

To an act to incorporate the Mahanoy and Broad Mountain Railroad Company, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Mahanoy and Broad Mountain railroad company is hereby authorized and empowered to commence the construction of their road, either in Conyngham township, in Columbia county, or in the borough of Ashland, in Schuylkill county, as shall be determined by the board of directors of said company. That said company shall have the right to cross at grade, and to make connections with any other railroads or laterals which their road may meet or intersect in the line of its route, or its branches; in all such cases making just compensation for property, rights or franchises, taken or used, in the manner provided in the eleventh section of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine. And said company shall have the right to run locomotive engines and cars, not exceeding, in any one distance, six miles, upon roads so connected with, paying such tolls as may now by law be charged upon such roads, and in addition thereto, as compensation for so running locomotive engines, paying at the rate of five cents per mile for any distance so run by locomotive engines with freight, and subject to such reasonable rules and regulations as are now adopted for the use of rolling stock upon said roads, not inconsistent with the rights hereby granted.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 222.

## AN ACT

To authorize the sale of a certain School House in Limerick township, in the county of Montgomery, and State of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Abraham Pool, Barnhart Sheively and Abraham Longaker, trustees of the school house known as Bowman's school house, situate a short distance from Limerick Square, in the township of Limerick, in the county of Montgomery, be and they, or any two of them, or their successors in office, are hereby authorized to sell at public sale, and convey to the highest and best bidder, by their deed, in fee simple, clear of all incumbrances, after having first given notice of such sale by at least three written or printed notices or handbills, put up in as many of the most public places in said township, at least ten days before the time of sale, and also by publishing the same in at least one newspaper published in said county, by at least two insertions, all that the before mentioned Bowman school house, and the lot of ground whereon it is erected, adjoining lands now, or formerly, of John Bowman, and public roads leading to Hartranft's and Weber's mills, together with all the furniture and appurtenances belonging to said school house.

Trustees authorized to sell and convey.

Notice to be given.

SECTION 2. That the money arising from the sale of the property thus described, shall be disposed of as follows: All the expenses of the sale, and transfer of said property, and the necessary publication, shall first be paid, and the balance shall be devoted to the payment to those who contributed to the erection of said school house, and purchase of the ground, who shall present their claims, duly authenticated, to the said trustees, or either of them, within twelve months from the day of sale, *pro rata*, if said balance shall be insufficient to pay them in full.

Proceeds, how disposed of.

SECTION 3. The trustees shall proceed to the discharge of the duties imposed by this law, within six months after the passage of this act, and if a sale is effected, shall (after payment of expenses as aforesaid) make distribution of the balance of the proceeds of said sale immediately after the expiration of one year from the time of said public sale, to the persons, and in the manner prescribed in the second section of this act; and if any overplus remain after such claims and the expenses shall have been paid, the balance shall be paid to the school directors of Limerick township, in said county, for educational purposes.

Duties of trustees.

Appropriation of balance.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 223.

## AN ACT

To revive and continue in force the law relative to Graduating Lands on which purchase money is due the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act to graduate lands upon which money is due and unpaid to the commonwealth, passed the twenty-first day of March, Anno Domini one thousand eight hundred and sixty, are hereby continued in force until the first day of August, Anno Domini one thousand eight hundred and sixty-three.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 224.

## AN ACT

To repeal Road Laws in Miller township, Perry county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act relating to roads, and the duties of supervisors in the township of Miller, in the county of Perry, approved the eleventh day of March, one thousand eight hundred and fifty-one, and all supplements thereto, be and the same is hereby repealed, so far as the same relates to said Miller township; and the general laws now regulating supervisors and roads in said county are hereby extended to Miller township.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 225.

## AN ACT

Relative to the Collectors of Taxes in the county of Carbon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the collectors of state and county taxes, in the county of Carbon, are hereby authorized and directed to make complete assessment lists of all taxable persons, and their occupations, all real and personal property, which shall have been omitted by the assessors in their respective assessments; they shall also include, in their assessment list, all taxable persons who shall have come to inhabit, in said county, subsequently to the completion of the assessments in the spring and the first day of October, in each year. The said collectors shall, on or before the first day of October, deliver their respective assessment lists to the commissioners of said county, and shall make oath or affirmation that it is a correct and true list, within the spirit and meaning of this act.

Tax collectors authorized to make assessment lists of taxable persons omitted, &c.

SECTION 2. That as soon as such lists shall be delivered to said commissioners, they shall cause their clerk to transcribe the same into the proper assessment books, and shall proceed to lay the taxes, in the same manner and same per cent. as other taxes are levied; and said clerk shall make correct and fair duplicates thereof, and deliver the same to the several collectors, whose duty it shall be to collect such taxes, and pay the same into the county treasury, in the same manner and under the same restrictions and penalties as other taxes are by law collectable, any law to the contrary notwithstanding: *Provided*, That the commissioners shall hear all persons who may apply for redress, and grant such relief as to them shall appear just and reasonable; and nothing contained in this act shall entitle any person to vote at any election, unless such person shall have been assessed by the collector, at least ten days before such election, and the tax paid before he offers to vote.

Commissioners, their duties.

Provide.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 226.

## SUPPLEMENT

To an act of the twenty-seventh April, one thousand eight hundred and forty-four, to extend the limits of the borough of Prompton, in Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the borough of Prompton, in the county of Wayne, shall be and is hereby enlarged, to embrace all the territory within the following boundaries, viz: Beginning at the south-west corner of the present borough; thence north seventy rods to corner of Joseph Headley's land; thence west along Headley's line and line of others' lands four hundred rods to corner of numbers twenty-nine and thirty Elk Forest division; thence north on line between numbers twenty-nine and thirty and twenty-two and twenty-three of Elk Forest division four hundred rods to line of Clinton township; thence west four hundred rods to line of Dyberry township; thence north twenty degrees west fifty-five rods and north eight degrees west one hundred and thirty rods to corner of warrantee of John Seely, in Dyberry township; thence north eighty-two degrees east three hundred and sixty rods to corner of Drinker lands; thence south eight degrees east to line of Texas township; thence north eighty-two degrees east and other corners to embrace lot of John Inch; thence from John Inch's south-western corner south eight degrees east to a corner near the West Branch creek; thence west three hundred and ninety rods to the place of beginning, subject to all the provisions of the act of the third of April, one thousand eight hundred and fifty-one.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 227.

## A N A C T

To repeal the bounty on Fox Scalps in the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all acts and parts of acts authorizing or regulating the payment of bounties on fox scalps in the county of Mercer, be and the same are hereby repealed.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 228.

## A N A C T

To change the limits of the borough of Beallsville, in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the farms, or parts of the same, of James Thompson, J. Hough, Rezin Craven, Hiram Winnett, Daniel Flick and John M'Junkin, now included within the limits of the borough of Beallsville, be re-attached to the townships from which they were separated by the act incorporating said borough, for all purposes, except school purposes; the school district to remain as it now exists; and the taxes levied for school purposes, on the farms here referred to, shall be levied according to the rates for the same purpose within the said borough of Beallsville, and paid into the treasury of the borough, as at present.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 229.

## A N A C T

Supplementary to an act incorporating the borough of Birmingham, in the county of Allegheny.

**Name changed.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate name of the burgess and town council of the borough of Birmingham shall be altered and changed to the borough of Birmingham, and the corporate powers of said borough, as the same now exist, and are modified and enlarged by this act, shall be exercised under the name and style of the borough of Birmingham.

**Burgess and town council, election of.** SECTION 2. The legislative powers of said borough shall be exercised and executed by a burgess and eight councilmen, to be elected by the qualified electors thereof, at the times and places now provided and appointed by law, and the ordinances of said borough; four of said councilmen shall be chosen from and elected by the residents and qualified electors of precinct number one, as now established by an ordinance of said borough, passed the twenty-sixth day of June, one thousand eight hundred and fifty-seven; and four of said councilmen shall be chosen from and elected by the residents and qualified electors of precinct number two, as now established by said ordinance; and at the first election of the councilmen so as to be elected under the provisions of this act, two persons shall be chosen from each of said precincts, to serve for the term of one year, and two persons from each of said precincts to serve for the term of two years; and on the expiration of the term of any member, his place shall be filled by the election of a person, to serve for the term of two years; and any vacancy that may occur by the death, resignation or removal of any member of council, before the expiration of the term for which he shall have been elected, shall be filled by the election of a person, to serve for the remaining part of said unexpired term; the burgess shall be president of the council, and, in case of a tie, shall have a casting vote, but not otherwise; in case of the absence of the burgess, the council shall have power to choose one of their own number, who shall act as president *pro tempore* of the council.

**Terms of councilmen.**

**Council may change number and limits of precincts.** SECTION 3. The council shall have power to change the number, limits and boundaries of said precincts, from time to time, so as to maintain, as nearly as possible, an equality of population in said precincts.

**Power to appoint high constable and other officers** SECTION 4. The town council shall have power and authority to appoint one high constable, and such subordinate officers of police as may be necessary for the preservation of the good order and government of the borough, and also such other officers, including a street commissioner, market master, wharf

master, measurer of boards and lumber, weigh master, tax collector, clerk of the council, and treasurer of the borough, as may be necessary for the carrying on, exercise and discharge of the corporate powers and duties of said borough; said officers shall be appointed and serve for the term of one year, and their duties, and the qualifications of persons to hold them, shall be limited and defined by the town council, in an ordinance or ordinances passed for that purpose, subject to the charter and laws relating to this borough, the constitution and laws of Pennsylvania, and constitution and laws of the United States; said officers shall be accountable to the town council for the discharge of the duties of their several appointments, and may be removed, by the town council, by a vote of two-thirds of the members thereof; the compensation of said officers shall be fixed by an ordinance or ordinances to be passed for that purpose; and no member of council shall be eligible to any office, during the term for which he shall have been elected, which may have been established, or the emoluments of which may have been increased during said term; and that part of the act incorporating said borough which provides for the election of a borough constable, be and the same is hereby repealed.

Duties and qualifications.

Compensation.

Repeal.

SECTION 5. That the burgess and justices of the peace of said borough shall have full power and authority to hear and determine all cases and complaints of and for violations of the ordinances of said borough, by summary process; and all offenders against said ordinances may be punished, and penalties incurred may be enforced and collected, by summary process and conviction: *Provided*, That the defendant shall have the right to appeal from the decision of the magistrate aforesaid, upon giving proper security to the proper court of said county: *And provided further*, That nothing in this act contained shall be so construed as to take away from the burgess and justices of the peace aforesaid jurisdiction to hear and determine actions of debt for the recovery of said penalties.

Jurisdiction of burgess and justices of the peace

Proviso.

Proviso.

SECTION 6. All acts or parts of acts of assembly inconsistent herewith, are hereby repealed, except so far and for such time as may be necessary to complete proceedings, legal or otherwise, that may have been commenced, under any existing act, for which purpose, and no other, such acts or parts of acts shall be continued in full force and operation.

Repeal.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 230.

## AN ACT

Relative to the School District of the borough of Shelocta, in the county of Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the land of Robert H. Armstrong, situate partly in the borough of Shelocta, and partly in Armstrong township, in the county of Indiana, be and the same is hereby annexed to the said borough of Shelocta, for school purposes, and that the same be subject to the same taxation, for the purposes aforesaid, as other property in said borough of Shelocta is now subject.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 231.

## AN ACT

Extending the time for completion of the New Castle and New Wilmington Plank Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the New Castle and New Wilmington plank road company to complete their road, from its present terminus to New Wilmington, whenever, within a period of ten years from and after the passage of this act, the said company may deem themselves able so to do; and any former act

or acts, inconsistent with this act, shall be and the same are hereby declared to be repealed.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 232:

# AN ACT

Declaring William L., son of Ann Wilson, an adopted son of George W. Ramsey, of Tyrone, Blair county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William L., son of Ann Wilson, of Blair county, is hereby declared to be the adopted son of George W. Ramsey, of the borough of Tyrone, in said county of Blair, and shall be capable of receiving, by devise, or inheriting, under the intestate laws of this commonwealth, the same as if he were the lawful child of the said George W. Ramsey; and shall possess all the rights and privileges in law, and to all the intents and purposes be regarded as his own child, born in lawful wedlock: *Provided,* That nothing in this act shall be so construed as to interfere with the liability of the estate of said George W. Ramsey to, or release said estate from the payment of any collateral inheritance tax to which this commonwealth might be entitled if this act had not passed.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 233.

## AN ACT

Relating to Roads in Toboyné township, Perry county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter it shall be lawful for the supervisors of Toboyné township, in the county of Perry, to let, by proposals and contract, the making and repairing of the public roads and highways in said township to the lowest and best bidders; and that the taxes assessed for road purposes shall hereafter be collected as other taxes, for the purposes aforesaid; and so much of any law as is hereby altered or supplied, be and the same is hereby repealed, so far as relates to said township of Toboyné.*

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 234.

## AN ACT

To incorporate the Jefferson Turnpike Road Company.

Corporators.

Privileges and purposes.

Route.

Officers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Jacob Kroah, J. J. Y. Thompson, K. L. Blood, W. W. Corbet and Crawford Hindman, are hereby erected into a body corporate, with all the privileges and franchises incident to a corporation, for the purpose of re-building, repairing, and maintaining in repair, that portion of the Susquehanna and Waterford turnpike road, situate within the county of Jefferson, and extending from the Clearfield and Jefferson line to the Clarion and Jefferson line, under the name and style of the Jefferson turnpike road company.*

SECTION 2. The said corporators are hereby authorized to elect a president, treasurer and secretary, and such superintendents

or managers as may be required in the prosecution of said work, and with power also to make any by-laws for the government of said company, when organized, not inconsistent with the constitution and laws of this commonwealth. By-laws.

SECTION 3. That said turnpike road company are hereby authorized to take, occupy and possess, within the limits aforesaid, all the property, rights, privileges and franchises of the said Susquehanna and Waterford turnpike company, with all the power and authority of the same, and with power, should the same be deemed necessary by the company hereby incorporated, to alter and change the route of said road. Authorized to take property and privileges of former company.

SECTION 4. That when two miles of said Susquehanna and Waterford turnpike road, at each of the termini aforesaid, shall be put in repair, the said Jefferson turnpike road company are hereby authorized to erect gates, and take toll at rates not to exceed that specified in the charter, and supplements thereto, of the Susquehanna and Waterford turnpike road company aforesaid. May erect gates and take toll. Limitation.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 235.

## AN ACT

Authorizing the Treasurer of the borough of Connellsville, in the county of Fayette, to sell certain lands in said borough, for the payment of taxes thereon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of the borough of Connellsville is hereby authorized and directed to make sale of the whole or any part of any lot or lots, or parcel of ground, situate within the limits of said borough, as will pay the arrearages of the tax levied and assessed against the owner or owners of the same, for the year one thousand eight hundred and sixty, for said borough, any part of which shall then have remained due and unpaid for the space of one year before, together with all costs necessarily accruing by reason of such delinquency, and to make and execute a deed or deeds, in fee simple, and the same to acknowledge, before a justice of the peace of said borough, for the property by him so sold as aforesaid; and it shall be the duty Treasurer directed to sell certain lands. May make deed, &c.



Notice to be given.

of the said borough treasurer to give at least sixty days' notice of the time and place of such sales, the size of each lot of ground, the name or names of the owners thereof, and the sums due against each owner or owners for taxes for said year, and also a certificate, setting forth that the owner or owners of said lot or lots have no personal property in said borough, out of which said tax can be made, one in each week in one weekly newspaper published in said borough, and by six handbills, stuck up in the most public places in said borough, not less than ten days before said sale, under a penalty of one hundred dollars in each and every case, to be recovered by the owner or owners of the land sold as aforesaid, as debts of like amount are by law recoverable, without stay of execution or the benefit of any exemption law of this commonwealth.

Penalty.

Bonds to be taken by treasurer for surplus and filed.

SECTION 2. That it shall be the duty of the said borough treasurer to take from the purchaser or purchasers bonds, in his own name, with warrants of attorney annexed, for any surplus money that may remain, after satisfying and paying the taxes and costs against the owner or owners of such property as may be sold, and the same bonds forthwith to file in the office of the prothonotary of said county, with at least one attested copy of the advertisements which shall so as aforesaid by him have been given; and the bonds taken by the treasurer for surplus moneys, and filed as aforesaid, shall, from the date of the deed by him executed as aforesaid, bind as effectually, and in like manner, as judgments for purchase money, the lands by him sold, into whose hands or possession soever they may come; and the owner or owners of said lot or lands, at the time of sale, or their heirs, assigns or other legal representatives, may, at any time within five years after such sale or sales, cause actions to be entered on the docket of the prothonotary of said county, in the name of the said treasurer, for the use of the said owner or owners, their heirs or assigns, or other legal representative; and if the moneys mentioned or contained in such bonds, together with legal interest thereon from the time it is demanded, be not paid within thirty days after such entry, execution shall issue forthwith for the recovery of the same, with costs.

Effect of.

When execution may issue.

Certain sections of acts relative to unseated lands made part of this act.

SECTION 3. That the several provisions contained in the thirtieth, thirty-first, second, third, fourth, fifth, sixth, seventh, eighth and thirty-ninth, fortieth, forty-first and forty-second sections of the acts relative to unseated lands in this commonwealth, as published in Brightley's Purdon of one thousand eight hundred and sixty, be and the same is hereby made part of this act, and is to be applicable, in all cases of sales under the provisions of this act, with the same effect as said sections are applicable under a sale of unseated lands for taxes.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 236.

## AN ACT

Relative to Vagrants in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter all fees to be received by any mayor, alderman or justice of the peace in the county of Berks, in any vagrant case, shall be twenty cents. *Fees of mayor, alderman, &c.*

SECTION 2. That hereafter all fees to be received by any constable or police officer in said county, in any vagrant case, shall be twenty cents, and for conveying the same to jail, the mileage heretofore allowed by law. *Fees of constable*

SECTION 3. That all acts of assembly, or parts of acts, hereby supplied or inconsistent with this act, are hereby repealed. *Repeal.*

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

J. P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 237.

## AN ACT

Authorizing the Auditor General, Attorney General and State Treasurer, to examine the claim, for damages, of J. R. Bittner and Brother, of Lancaster city, Lancaster county.

WHEREAS, On the twentieth day of June, Anno Domini one thousand eight hundred and fifty-four, J. R. Bittner and company, forwarding merchants of the city of Lancaster, were shipping goods from Philadelphia to Lancaster, upon their cars, over the Columbia and Philadelphia railroad:

*And whereas,* In consequence of some defect in the spark catcher of a locomotive then passing, a great quantity of fire was thrown out, by which one long car, containing twelve bales of cotton and other goods, were consumed, along with said car, which appears by depositions taken on the part of Messrs. Bittner and company and the commonwealth.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general, attorney general and state treasurer, be and they are hereby authorized and required to examine the claim of John R. Bittner and Brother, of Lancaster city, Lancaster county, for damage, and if any claim be found for the said J. R. Bittner and Brother, to authorize the payment of the same out of any moneys in the state treasury not otherwise appropriated.*

**ELISHA W. DAVIS,**

*Speaker of the House of Representatives.*

**ROBT. M. PALMER,**

*Speaker of the Senate.*

**APPROVED**—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

**A. G. CURTIN.**

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**No. 238.**

**A N A C T**

**To provide for the Collection of Additional Taxes in the townships of Homer, Sylvania and Ulysses, in the county of Potter.**

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the road supervisors of the townships of Homer, Sylvania and Ulysses, in the county of Potter, be and they are hereby authorized and empowered, in addition to the tax now authorized by law to be assessed and collected in said townships, to levy and collect an additional tax, not exceeding one per centum in any one year on the last adjusted valuation of property in said townships for county purposes; the same to be levied and collected in manner as is now provided by law for levying of taxes in said townships; the same to be appropriated in making roads and bridges in said townships.*

**ELISHA W. DAVIS,**

*Speaker of the House of Representatives.*

**ROBT. M. PALMER,**

*Speaker of the Senate.*

**APPROVED**—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

**A. G. CURTIN.**

No. 239.

## A N A C T

To protect Sheep and tax Dogs in Lycoming and Columbia counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act approved the twentieth day of May, one thousand eight hundred and fifty-seven, entitled "An Act for the protection of sheep and taxing of dogs in the county of Blair," be and the same is hereby extended to Lycoming and Columbia counties: *Provided,* That the tax aforesaid shall in no case exceed the sum of fifty cents for each and every dog or bitch owned by any person or individual: *Provided further,* That every dog or bitch so taxed, shall be deemed and held to be personal property; and any person who shall steal any such dog or bitch shall, on conviction, be liable to all the pains and penalties by which persons convicted of larceny are now by law punishable: *And provided further,* That every such dog or bitch shall be deemed and considered a domestic animal, and the provisions of 154 section of an act, entitled "An Act to consolidate, revise and amend the penal laws of this commonwealth," shall include and are hereby extended to embrace every such dog or bitch, as fully, and to the same extent, as horses or cattle therein mentioned and included and embraced.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 240.

## A N A C T

Relating to the claim of James M'Kean and Marmaduke Rambo.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the auditor general, attorney general and state treasurer, be and they are hereby authorized and required to examine the claim of James M'Kean and Marmaduke Rambo, for labor done and materials furnished on section number eighty-two of the Erie extension of the Pennsylvania canal, and they shall, after such examination, report the amount they find due (if any) to the said James M'Kean and Marmaduke Rambo, to the legislature during the present or the next session thereof.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 241.

## AN ACT

To incorporate the Green Mount Cemetery.

Corporators.

Object.

Location.

Style.

Privileges.

By-laws.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Ingram, Jonathan B. Garrett, John Lent, James Atwood, Joseph P. Wilson, Robert W. Levis, James B. Wood, M. D., John T. Worthington, Joseph Hunt, William Everhart, William Matlack, Townsend Eachus, Daniel Meredith, David M'Conkey, Cheyney Nields, Hickman James, George Fitzsimmons, John F. Ingram, William Whitehead and Enos V. Garrett, and all such other persons as shall, on or before the first day of July next after the passage of this act, contribute any sum, not less than twenty-five dollars each, for the purpose of constituting a capital sum, to be appropriated to the purchase and ornamenting of grounds suitable for a cemetery, in or near the neighborhood of the borough of West Chester, in the county of Chester, and state of Pennsylvania, and their successors, be and they are hereby created and declared a body corporate, by the name, style and title of Green Mount cemetery, and by that name shall have perpetual succession, shall be capable in law to purchase, hold, possess, use, enjoy, and sell and dispose of estate and property, real and personal, to have a common seal, to plead and be impleaded, to make by-laws, rules and regulations for the government of the corporation, and to do all such other things as are incident to a corporation, and, until the election of managers, shall exercise all the powers thereof.

SECTION 2. That the affairs of said corporation shall be conducted by five managers, who shall be elected annually by a majority of the votes of the members of the corporation, and who shall themselves be members of the same; they shall elect from amongst their number a president, to serve for one year, and shall have power to appoint all necessary officers, and fix their several duties and compensations. The first election of managers shall be had at such time and place as the corporators named in the first section of this act shall appoint.

Managers.

Election of.

SECTION 3. That the said corporators shall have power to purchase a suitable lot of ground, within the county of Chester, not exceeding one hundred acres, for a cemetery, and the same to lay out and ornament, and divide and arrange into suitable plots and burial lots, to erect suitable buildings, and do all other things necessary or proper to be done to make the said ground suitable for a cemetery, and to sell and dispose of such plots and burial lots, for the purpose of sepulture, to individuals, societies or congregations, under such conditions, rules and regulations as the said corporators or managers may establish.

Powers.

SECTION 4. That all trespasses upon the property of the corporation, or of the owners of lots within the limits of the cemetery, and all injury done to any of the buildings, fences, trees, monuments, avenues, walks or devices of or belonging to the corporation, or to the owners of lots, shall be deemed and considered as acts of malicious mischief, and punished accordingly by any court having jurisdiction of criminal offences.

Penalty for trespasses.

SECTION 5. That no road, street, lane or passage-way whatever, shall be opened through said cemetery, without the consent of the said corporation, under their common seal.

No road to be opened through cemetery without consent.

SECTION 6. That none of the said lots, so purchased, shall be used for any other purpose than that of sepulture; and they shall be free from seizure, levy or sale, under or by virtue of any execution, process in the nature of an attachment, or of attachments against any such grantee or grantees; and no grantee shall be at liberty to transfer his or her lot to any person whatever, without consent of the managers first had in writing; and the said cemetery shall be forever exempted from taxation, except for state purposes.

Exemptions.

Transfer.

SECTION 7. That as soon as the money received from the sale of lots in said cemetery shall be sufficient to pay the purchase money expended by the persons hereby incorporated, with interest, and the expenses that shall have been incurred by them in laying out, enclosing and improving the grounds, and erecting the necessary buildings, then each lot-holder shall become a member of the corporation, and have a right to vote for the officers thereof; and at all elections held thereafter, under this act, each member of the corporation shall be entitled to one vote, and no more.

When lot-holders become members of corporation, &c.

SECTION 8. That the corporators or managers for the time being, shall give at least twenty days' notice of the time of holding elections for managers, by publishing the same in one or more of the newspapers of said county. If it shall happen that no election shall be held on the day prescribed, it shall be lawful, on any other day, after similar notice, to hold an elec-

Notice of election.

Vacancies.

tion, in such manner as the by-laws of the corporation shall ordain. Vacancies occurring, by death, resignation, inability to act, removal from the county, or otherwise, shall be supplied by the board of managers.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 242.

# AN ACT

To give the Trustees of the Methodist Episcopal church, of the borough of West Chester, power to sell certain real estate.

WHEREAS, William Everhart, and Hannah his wife, by their indenture bearing date the second day of May, Anno Domini one thousand eight hundred and twenty-nine, and duly recorded in the recorder's office of Chester county, in deed book O four, volume eighty-six, page forty-four, did grant and convey a certain lot or piece of ground, as therein described, situate in the borough of West Chester, county of Chester, and state of Pennsylvania, unto Thomas Ogden, Joseph Elton, William Hodgson, Samuel P. Levis and Joseph Burton, the trustees of the Methodist Episcopal church, of the borough of West Chester, in their corporate capacity, in fee, in trust as a burial place to and for the congregation of the said Methodist Episcopal church of the borough of West Chester, and all other persons, inhabitants of the said borough, to bury their dead in without cost, charge or expense:

*And whereas*, It is deemed inexpedient, by the said trustees, longer to use above mentioned lot for the purposes of sepulture, and they are desirous of disposing of the said lot to some person or persons, in fee simple, the consent of the said William Everhart and wife to such sale having been obtained; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the trustees of the Methodist Episcopal church, of the borough of West Chester, in the county of Chester, and state of Pennsylvania, be and they are hereby authorized and empowered, at any time or times hereafter, to grant, bargain and sell, all or any parts of all that certain lot of ground conveyed to the said

trustees, in trust for the purposes of sepulture, by William Everhart and wife, by deed dated May the second, Anno Domini one thousand eight hundred and twenty-nine, at public or private sale, in fee simple, or for any other estate, and upon such terms and conditions as they may deem proper, and to convey and assure the premises and hereditaments so sold, with the appurtenances thereto belonging, to the purchaser or purchasers thereof, in fee simple or otherwise, as the case may be, free, clear and forever discharged of and from all and every the trusts, estates, limitations and conditions expressed or contained in the indenture or indentures, or legal assurances relating thereto, at any time heretofore made, and so that the said purchasers shall take and hold the said premises, so conveyed to them, without any liability or limitation whatever on their part, or subject to any trust or trusts whatsoever, and such conveyance or conveyances shall vest a perfect and indefeasible title to the premises so sold and conveyed, to the purchaser or purchasers thereof forever.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 243.

## A N A C T

Incorporating the Woman's Hospital of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Brainard, D. D., M. W. Baldwin, C. D. Cleveland, Ferdinand J. Dreer, Morris L. Hollowell, T. Morris Perot, Philip M. Price, Mrs. Anna D. Morrison, Mrs. Thomas L. Kane, Mrs. Richard G. Statesburg, Mrs. Caroline R. Yarnall, Mrs. Maria W. Horton, Mrs. Emeline H. Cleveland, Mrs. Thomas Wood, Mrs. Rebecca L. Fussell, Miss Ann Preston, Miss Anna Wharton, Miss Anna Hollowell, Miss Elizabeth Dorsey, Joseph Jeans, Marmaduke Moore, Wm. S. Pierce, Isaac Barton, Samuel Jeans, Redwood F. Warner, Edwin Fussell, Mrs. John C. Cresson, Mrs. J. R. Price, Mrs. George H. Stewart, Mrs. Thomas Holloway, Mrs. David Milne, Mrs. Elizabeth W. Lip-

Corporators.



	pencott, Mrs. Martha Richardson, Mrs. Susan M. Parrish, Mrs. Martha A. Warner, Mrs. Jane Sill, Mrs. Thomas H. Powers, Mrs. Commodore Reed, and their associates and successors, be and the same are hereby created and erected into one body politic and corporate, in deed and in law, by the name, style and title of the Woman's hospital of Philadelphia.
Style.	
Privileges.	SECTION 2. That the said corporation, by the same name, style and title, shall have perpetual succession, and be able to sue and be sued, to plead and to be impleaded in all courts of law and elsewhere, to have and make a corporate seal, and again, at pleasure, to alter and renew the same, and shall be able and capable, in law and equity, to take, purchase, hold and receive, to them and their successors, any lands, tenements, goods and chattels, of whatever kind, nature or quality, real, mixed or personal, which are now or shall or may, at any time hereafter, become the property of the said corporation or body politic, by purchase, gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person or persons whomsoever, capable of making the same, and the same to grant, bargain, sell, improve or dispose of, for the use and benefit of the said corporation: <i>Provided</i> , That the net yearly income from the real estate of the said corporation shall not exceed ten thousand dollars.
Proviso.	
Misnomer not to annul bequest, &c.	SECTION 3. That no misnomer of said corporation, or their successors, shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: <i>Provided</i> , That the interest of the party or parties shall sufficiently appear upon the face of the gift, grant, will, or other writing, whereby any estate or interest was intended to pass to or from said corporation.
Proviso.	
Object.	SECTION 4. That the object of said corporation shall be to establish, in the city of Philadelphia, a hospital, for the treatment of diseases of women and children, and for obstetrical cases, furnishing, at the same time, facilities for clinical instruction to women engaged in the study of medicine, and for the practical training of nurses; the chief resident physician to be a woman.
Who may be members.	SECTION 5. The members of the said corporation shall be such persons as shall contribute for the support of the hospital twenty dollars or more, in one payment, or not less than one dollar prior to the first election; and thereafter, those who shall have paid the same sum annually, for two consecutive years, immediately preceding the meeting being held.
Managers, number and election of.	SECTION 6. The board of managers of the said corporation shall consist of twenty-four women, and shall be elected by the members at the annual meeting, eight being elected each year, to serve for a period of three years, and until their successors are appointed; the board shall appoint the officers of this corporation from its own body, and shall have power to fill vacancies occurring in the intervals of election, either from death, resignation, removal, or inattention to the duties as managers; to make by-laws for its government and for the management of the hospital, the safe-keeping of the funds and other property of this corporation, and their appropriation and use, in accordance with the intent and purposes of this institution.
Duties.	

**SECTION 7.** The officers of this corporation shall be a president, two vice presidents, a secretary, treasurer and a board of managers. Officers.

**SECTION 8.** The managers of the said corporation shall be assisted by a board of advisors of nine men, who shall be elected annually by the board of managers, from the corporators and faculty of the Female Medical college of Pennsylvania. Board of advisors

**SECTION 9.** The annual meeting of the members shall be held on the third Thursday of January, in every year, for the election of managers, and for hearing the annual report of the condition of the hospital. Special meetings of the members may be called by the board of managers whenever they may deem it necessary. Annual and special meetings.

**SECTION 10.** It may be discretionary with the managers to make pecuniary arrangements with the corporators of the Female Medical college of Pennsylvania, for the education of competent women as physicians, the number not to exceed three at any one time. Education of women as physicians at medical college.

**SECTION 11.** The following named persons shall be the managers of the said corporation, until their successors are appointed, and shall divide themselves into three classes, to serve respectively until the first, second and third annual meetings of the said corporation: Mrs. Anna D. Morrison, Mrs. Thomas L. Kane, Mrs. Richard G. Statesburg, Mrs. Caroline R. Yarnall, Mrs. John C. Cresson, Mrs. J. R. Price, Mrs. George H. Stewart, Mrs. Thomas Holloway, Mrs. David Milne, Mrs. Elizabeth W. Lippencott, Mrs. Martha Richardson, Mrs. Commodore Reed, Mrs. Maria W. Horton, Mrs. Emeline H. Cleveland, Mrs. Thomas Wood, Mrs. Rebecca L. Fussell, Mrs. Susan M. Parrish, Mrs. Martha A. Warner, Mrs. Jane Sill, Mrs. Thomas H. Powers, Miss Ann Preston, Miss Anna Wharton, Miss Anna Hollowell, Miss Elizabeth Dorsey. Managers, how classified.

**SECTION 12.** *And be it further enacted by the authority aforesaid,* That the duties and rights of the members of the said corporation, the powers and functions of the officers thereof, the number of members which shall constitute a quorum at its meetings, the causes which shall justify the suspension or expulsion of members from the corporation, and all other concerns of the said corporation, not hereinbefore provided for, shall be regulated by the by-laws and ordinances of the said corporation, hereafter to be made, which the said corporation is hereby authorized to make and alter in the manner which may be therein mentioned: *Provided,* That the said by-laws or ordinances shall not be repugnant to or inconsistent with the constitution or laws of the United States or of this commonwealth. By-laws. Provided.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 244.

## A N A C T

For the protection of Speckled Trout in the Lakes, Streams and Ponds in the county of Pike.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be unlawful for any person or persons to take, catch or destroy any speckled trout in any lake, stream or pond within the county of Pike, between the twentieth day of August and the twentieth day of April following, in each and every year.

**SECTION 2.** Any person or persons offending against the provisions of this act, shall, upon conviction thereof before any justice of the peace of said county of Pike, forfeit and pay the sum of five dollars, or in default of the payment thereof immediately after conviction, shall undergo an imprisonment in the jail of Pike county, for a term not exceeding ten days.

**SECTION 3.** Upon any prosecution commenced under this act, possession of a speckled trout between the twentieth day of August and the twentieth day of April following, in each and every year, shall, in the absence of better evidence, be sufficient to warrant a conviction under the provisions of this act.

**SECTION 4.** That the forfeiture, in money, accruing and becoming due for any offence against this act, shall be paid to the overseers of the poor of the township in which the offence was committed, to be applied toward the support of the poor of said township.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 245.

## A N A C T

For the relief of Jacob Huntzinger, junior, late Treasurer of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the auditor general and state treasurer be and they are hereby authorized to open and re-settle the accounts of Jacob Huntzinger, junior, late treasurer of Schuylkill county, with the commonwealth, and to allow to said Jacob Huntzinger, junior, in said settlement, such credits as in their judgment he may be entitled to.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 246.

## A N A C T

To change the Compensation of Road Supervisors in Spring Creek township, Elk county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after March first, one thousand eight hundred and sixty-one, the compensation of road supervisors in Spring Creek township, Elk county, shall be one dollar and fifty cents per day, for each day on which they shall be employed in the discharge of the necessary duties of their office.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 247.

## AN ACT

To extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County Agricultural Societies, to the Erie County Agricultural Society.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act for the better regulation of the Mercer County, Shenango Valley, Montour County and Allegheny County agricultural societies," shall be and the same is hereby extended to the Erie County agricultural society, in the county of Erie.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 248.

## AN ACT

Relative to the erecting of Gates across the Public Road in Granville township, in Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supervision of the River district of the township of Granville, in the county of Mifflin, shall be authorized and required, and is hereby authorized and required to erect gates across the public road in said district, on each side of the Pennsylvania railroad, where the said public road crosses the said railroad through the lands of Joseph and John Brought, and also where*

the said public road crosses the said railroad through the lands of Samuel S. Wood.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 249.

### A SUPPLEMENT

To an act to authorize the Governor to incorporate the West Chester and Philadelphia Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for holding the annual meeting of stockholders and election of officers of the West Chester and Philadelphia railroad company, shall hereafter be the second Tuesday in February, in each year, instead of the second Monday in January, as heretofore.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 250.

### AN ACT

Authorizing the School Directors of the borough of Sewickley, in Allegheny county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the common school directors of the borough of Sewickley, in the county of Allegheny, be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding, in the whole, four thousand dollars, at the rate of six per cent. interest per annum, for the purpose of erecting a new school house in said borough; and it shall be lawful for said school board to secure the money so borrowed by bond or bonds, with mortgage upon the real estate belonging to said school district, and to provide, by special tax, for the payment of the principal, with semi-annual interest, in a period not exceeding fifteen years; and the money thus borrowed shall be exempt from taxation.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 251.

## SUPPLEMENT

To the act of incorporation of the Harris Free Cemetery, approved February sixteenth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of trustees of the Harris Free cemetery be and are hereby authorized, empowered and required, after laying out all the necessary walks and avenues in the ground, that now are or may hereafter constitute the said cemetery, to lay out, for the accommodation of families, one-half of the remainder in lots, dispose of the exclusive right to use the same, and apply the income accruing therefrom to the keeping of the said cemetery in good order and repair, and to reserve, forever, the residue of the said ground for interments, to be made in regular rows and free from charge, for the use of the said reserved portion of the said cemetery.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 252.

## A N A C T

Relative to certain parts of the estate of Jane Willing, deceased.

WHEREAS, Jane Willing, late of the city of Philadelphia, deceased, did by her last will and testament, bearing date the twenty-seventh day of December, Anno Domini one thousand eight hundred and twenty-two, direct that all the residue and remainder of her estate, real and personal, should be divided into four equal parts, one whereof she devised and bequeathed to her son, Charles Willing, and the other three parts to her three daughters, in the manner therein mentioned, that is to say: that the part of her estate which should fall to her daughters respectively, whether in their own right or as survivors, should be settled by her executors, in trust, as to the income, interest and profits thereof, for the sole and separate use of her said daughters respectively, during their natural lives, free from the control of their respective husbands, and from and after the deaths of her said daughters respectively, then as to the capital or principal of the said respective shares, to the use of her respective daughters absolutely, in such portions as her said daughters respectively, by any instrument in writing, under their respective hands, executed in the presence of two or more witnesses, should direct and appoint, and for want of such direction or appointment, then to and among the said respective children absolutely, in equal shares, and for want of such children, then to the use of her said respective daughters, their heirs, executors and administrators:

*And whereas*, The said testatrix died leaving three daughters, to wit: Elizabeth, intermarried with John Stirling; Ann, intermarried with Mungo Murray, and Emma, intermarried with James Maitland, who became entitled to three undivided fourth parts of an undivided fifth part of the messuages and premises hereinafter described:

*And whereas*, It is manifestly for the interest of those entitled to the said three-fourth parts, that the same should be sold and the proceeds held upon the trusts of the said will; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the trustee or trustees, for the time being, in whom is or are vested the share or shares devised under the will of Jane Willing, late of the city of Philadelphia, deceased, in trust for her daughters respectively, as above recited, shall have power to grant and convey, in fee simple, for such considerations as he or they shall deem proper, all the estate, right, title and interest vested in him or them, under the said will, in trust for the said daughters of the said Jane Willing respectively, or any or either of them, of, in, to and out of a certain tract of land situate in West Finley township, in the county of Washington, and state



of Pennsylvania, beginning at a sugar tree; thence north eleven degrees west two hundred and sixty perches to a white oak, south seventy-nine degrees west two hundred and seventy perches to a walnut bush, south eleven degrees east two hundred and sixty perches to a sugar tree, and north seventy-nine degrees east two hundred and seventy perches to the beginning, containing four hundred and thirteen acres one hundred and thirty-seven perches and allowance, et cetera, which said tract the commonwealth of Pennsylvania, by patent, dated the twelfth of July, Anno Domini one thousand eight hundred and twenty-two, and enrolled in patent book H, volume twenty, folio two hundred and fifty-eight, granted unto Henry Nixon and Thomas M. Willing, and the survivor of them, and the heirs of the survivor, in trust for the uses declared by John Nixon, deceased, in his last will and testament, of and concerning the residue and remainder of his real estate. Also a certain tract called Blackburn's Delight, situate on Robertson's Fork of Wheeling creek, in West Finley township, in the county of Washington, and state aforesaid, beginning at a white oak; thence north eleven degrees west two hundred and sixty perches to a black oak, south seventy-nine degrees west two hundred and seventy perches to a white oak, south eleven degrees east two hundred and sixty perches to a sugar tree, and north seventy-nine degrees east two hundred and seventy perches to the beginning, containing four hundred and thirteen acres one hundred and thirty-seven perches and allowance, et cetera, which said tract the commonwealth of Pennsylvania, by patent, dated the twenty-fifth day of March, Anno Domini one thousand eight hundred and twenty-three, enrolled in patent book H, volume twenty-first, folio forty-seven, et cetera, granted unto Henry Nixon, surviving executor of the last will and testament of John Nixon, deceased, and his heirs, in trust for the uses declared by the said John Nixon, deceased, in his last will and testament, of and concerning the residue and remainder of his real estate. And also a certain tract of land called White's and Spring, situate on the headwaters of the Second South Branch of Nescopeck creek, about one mile west of the path leading from Fort Allen to the North East Branch of Susquehanna, adjoining lands surveyed for Samuel Davis and Samuel Rogers, in the county of Northumberland, now in the county of Luzerne, in the state aforesaid, beginning at a black oak marked for a corner; thence by vacant land Samuel Davis and Samuel Rogers's lands south eighty degrees west two hundred and thirty-six poles to a corner marked white oak in the line of the said Rogers's land; thence by vacant land south ten degrees east two hundred and thirty-four poles to a chestnut marked for a corner; thence north eighty degrees east one hundred and fifty-six poles to a corner marked chestnut; thence north ten degrees west sixty-six poles to a white oak marked for a corner; thence north eighty degrees east one hundred and two poles to a corner marked dogwood; thence north ten degrees west forty-four poles to a chestnut oak marked for a corner; thence north eighty degrees east eighteen poles to a corner marked chestnut oak; thence north ten degrees west eighty poles to a black oak marked for a corner; thence south eighty degrees west forty poles to a corner marked black oak; thence

north ten degrees west forty-four poles to the first mentioned black oak and place of beginning, containing three hundred and nineteen acres, and allowance of six per cent. for roads, et cetera, which said tract of land the supreme executive council of the commonwealth of Pennsylvania, by patent, bearing date the eighteenth day of July, Anno Domini one thousand seven hundred and eighty-one, and enrolled in patent book I, page five, et cetera, granted unto the said John Nixon. And all and singular the rights, privileges, improvements and appurtenances to the above described premises belonging, and to make title to the same, or any part thereof, without the purchaser or purchasers being bound to see to the application of the purchase money: *Provided always*, That the purchase money for the said share or shares, shall be invested by the trustee or trustees, for the time being, under the authority of the orphans' court for the county of Philadelphia, in the debt of the United States or of this state, or of the city of Philadelphia, or in real securities, in trust, both as to principal and interest, for the same persons, estates, uses and trusts, declared in the said will of Jane Wil-ling, of and concerning the shares devised as aforesaid, in trust for her daughters respectively: *Provided further*, That before this act shall take effect, the said trustee or trustees shall give security, to be approved by the said orphans' court for the county of Philadelphia, for the faithful execution of the trust created by this act.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 253.

## AN ACT

For the organization of a new School District out of parts of Macungie and Weisenburg townships, in Lehigh county, and Maxatawny township, in Berks county.

WHEREAS, In consequence of the peculiar location of the township of Maxatawny, in the county of Berks, and the townships of Weisenburg and Upper Macungie, in the county of Lehigh, at their junction on the line between the said counties, it is impossible to arrange the public schools therein so as to secure to the citizens thereof the educational advantages to

which they are by law entitled, without an extravagant and unnecessary expenditure of money in each of said school districts; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all that portion of the said townships of Weisenburg and Upper Macungie, in Lehigh county, and of the township of Maxatawny, in the county of Berks, included within and bounded by the following lines, viz: Beginning at a corner on the division line between Maxatawny and Longswamp townships, Berks county, on lands of Peter Merkle, one hundred perches south-west of the division line between Berks and Lehigh counties; thence parallel with said county line six hundred and thirty perches to a corner on lands of George Smith, in said Maxatawny township; thence parallel with the division line between Upper Macungie and Weisenburg townships, Lehigh county, north-east three hundred and sixty perches to a corner on Jonathan Kline's land, in said Weisenburg township; thence south eighty-five and a half degrees east three hundred and seventy perches to a corner on lands of Sem Grim, in Upper Macungie township; thence in a straight line four hundred perches to a corner on lands of Sem Grim, of Upper Macungie township, Lehigh county, one hundred and twenty perches distant from the division line of said counties; and thence in a straight line two hundred and fifty perches to the place of beginning, shall, from and after the passage of this act, be a new and separate school district, subject to the provisions of the several acts of assembly now in force for the regulation and continuance of a system of education by common schools.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 254.

## A SUPPLEMENT

To the several acts of Assembly relative to the Pennsylvania State Lunatic Hospital.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

## OF THE SESSION OF 1861.

when application shall be made under the fourteenth section of the act of the fourteenth of April, one thousand eight hundred and forty-five, to which this is supplementary, to any court of this commonwealth, for the commitment of any person to the Pennsylvania State Lunatic hospital, it shall be lawful for such court to either inquire into the fact of insanity, in a summary way, after giving the notice required by law to the alleged lunatic, and his or her friends or kindred, or by avoiding an inquest at the option of the court; and in all cases it shall be lawful for the several courts of this commonwealth to use their discretion in sending insane persons, who are unsafe to be at large, to said hospital, or cause them to be confined elsewhere, as the said courts shall believe the case to be curable or otherwise.

*Court to inquire into fact of insanity.*

*Discretion as to unsafe persons.*

SECTION 2. No person shall hereafter be sent to said lunatic hospital under the tenth section of the act of the fourteenth of April, one thousand eight hundred and forty-five, or any other law of this commonwealth, who shall have been charged with homicide, or having endeavored or attempted to commit the same, or to commit any arson, rape, robbery, or burglary, and have been acquitted of any such offences on the ground of insanity, or been proceeded against under the fifty-ninth or sixtieth sections of the act of the thirteenth of June, one thousand eight hundred and thirty-six, relative to lunatics and habitual drunkards, where the court trying such person, or hearing the case, shall be satisfied that it is dangerous for said lunatic to be at large on account of having committed, or attempted to commit either of the crimes aforesaid, but such persons shall be continued in the penitentiary of the proper district, or the prison of the proper county: *Provided*, That said court shall still have power to order any such person to be confined in the said lunatic hospital, if, on full examination, it shall be satisfied that there is reason to believe that a cure of the insanity may be speedily effected by sending him or her thereto.

*Persons acquitted on the ground of insanity, relative to.*

*Provido.*

SECTION 3. In every case where a lunatic has been, or shall be committed to said hospital, after an acquittal of any crime on the ground of insanity, or after an investigation in court, under the fifty-ninth and sixtieth sections of the act of the thirteenth of June, one thousand eight hundred and thirty-six, or on account of it been adjudged dangerous for such lunatic to be at large; and in all cases where any lunatic has been, or shall be removed thereto from either of the penitentiaries, or any prison of this commonwealth, under the order of a judge, or of any court, it shall be lawful for the trustees of said hospital, with the aid of the superintending physician, to inquire carefully into the situation of such lunatic, and if a majority of the board, including the physician, shall be satisfied that there is no reasonable prospect of a cure of the insanity being effected by a retention of the lunatic in the hospital, they shall, at the expense of the proper city or county, cause him or her to be removed to the prison of the proper county, or the penitentiary from which he or she was sent.

*Powers of the trustees and physician in certain cases.*

SECTION 4. That whenever an indigent insane person shall hereafter be sent to said hospital, the city or county from which he or she was sent, shall be liable to the trustees of the hospital

*Liability of city, county and township for indigent insane.*

for his or her maintenance, and shall have remedy over against the proper township, where by existing laws the township is liable for the support of such pauper, and the overseers of the poor of the township shall have remedy over against the property of the pauper, or against any relative required by law to maintain him or her, to the extent of their liability under the poor laws.

Recovery of money due hospital, mode of proceeding.

SECTION 5. That in all cases where money is now, or hereafter shall become due to said hospital from any township or county, on account of the maintenance of any person sent there by the proper legal authorities, and no suit is now pending for the recovery thereof, it shall be lawful for the treasurer of the hospital to cause a statement of the account, with notice of the amount claimed, to be served on the commissioners of the proper county, or the overseers of the poor of the township, and if the same is not paid within thirty days after such notice and demand, to place such claim in the hands of the attorney general of the commonwealth, whose official duty it shall be to cause suit to be brought therefor in the name of the corporation, in the court of common pleas of Dauphin county; and the whole proceeding for the recovery of such debt shall be conducted in the manner, and the action have like precedence as suits for claims due the commonwealth; and sections one and two of the act of the eighth of May, one thousand eight hundred and fifty-five, pamphlet laws, page five hundred and fifteen, be and the same are hereby repealed.

Repeal.

Delivery of lunatics to friends or relatives.

SECTION 6. That on the application of the friends or relatives of any insane person now, or who may hereafter be confined in said hospital, to the court of common pleas of Dauphin county, or to the president judge of said court in vacation, it shall be lawful for said court or judge, where the same may be done with safety to the community, to deliver over to such friends or relatives the person so confined; but before so delivering over such lunatic, said court or judge may require sufficient security to be given in the name of the commonwealth, that such lunatic shall do no injury to the person or property of any one when at large, to continue during such term of time as the court or judge may direct.

Security to be given.

Provisions of this act extended to Western Pennsylvania hospital

SECTION 7. That all the provisions of this act be and they are hereby applied to the Western Pennsylvania hospital; and further, that the provisions of sections fifth and sixth, in relation to suits in the courts of Dauphin county, shall be and are hereby changed to the district court of Allegheny county, so far as may relate to claims and proceedings touching said Western Pennsylvania hospital.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

Supplementary to the act incorporating the borough of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer and collector of taxes of the borough of Easton, before they enter upon the duties of their offices, give bond to the commonwealth of Pennsylvania, in trust for the use of all parties interested, with four or more sureties, to be approved by the chief burgess, and confirmed by the town council and school directors of the borough of Easton aforesaid, in the sum of ten thousand dollars each, conditioned for the faithful performance of the duties of his office; and that the one-half of the salary of said offices to be paid out of the borough funds, and the other half to be paid out of the school funds. Treasurer and collector of taxes to give bond.  
Salary, how paid

SECTION 2. And that the town council and school directors in joint session, by a vote of not less than a majority of the whole number of members, at any time, for sufficient cause, may remove from office the aforesaid treasurer or collector, or both, and to fill said vacancies that may occur by said removal. Removal of same

SECTION 3. That so much of the act supplementary to the act incorporating the borough of Easton, approved the eighth day of March, Anno Domini one thousand eight hundred and fifty-six, as is hereby altered or supplied, be and the same is hereby repealed. Repeal.

SECTION 4. That no street, alley or lane, shall be vacated, nor the grade altered, in the borough of Easton, without the sanction of the town council of the said borough. Streets, lanes, &c., vacation of.

SECTION 5. That when any street, alley or lane, shall be vacated, and the land revert to the owner, it shall be the duty of the court of quarter sessions of Northampton county to appoint three disinterested persons, whose duty it shall be to value the same; and the amount so assessed shall be paid into the treasury of the borough of Easton; that this shall only apply to those who have received damages by reason of the opening of said street, lane or alley, to public use. Duty of court of quarter sessions.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 256.

## A SUPPLEMENT

To the act to incorporate the Mount Pleasant Union College, at Mount Pleasant, in Westmoreland county, Pennsylvania, and to enable the Mount Pleasant College to convey certain real estate, approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-eight.

Preamble.

WHEREAS, The trustees of Mount Pleasant Union college, at Mount Pleasant, Westmoreland county, Pennsylvania, incorporated the twenty-third day of March, one thousand eight hundred and fifty-eight, are desirous of disposing of their college property and of determining their corporate existence; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Trustees empowered to sell.

the trustees of the Mount Pleasant Union college are hereby authorized and empowered to sell and convey any and all real and personal estate or estates, and property held, heretofore had and held by the same, in the county of Westmoreland, in this commonwealth, and to execute and deliver, under the bond of the president of said board of trustees, and the corporate seal of said corporation, good and sufficient deed or deeds for the same: *Provided*, That before said deed or deeds shall be executed and delivered, the same shall be authorized by a meeting of the stockholders of said college, at a meeting called for that purpose.

Proviso.

Repeal.

SECTION 2. That from and after the confirmation of said deed or deeds, the act incorporating the Union college at Mount Pleasant, in Westmoreland county, passed the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-eight, be and the same is hereby repealed: *Provided*, The stockholders assent thereto at the general meeting before provided for.

Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 257.

## AN ACT

Relative to the Old Guard of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the enrolment tax now due upon the act, entitled "An Act to incorporate the Old Guard of the city of Philadelphia," approved March thirty-first, eighteen hundred and sixty, be and the same is hereby remitted.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 258.

## AN ACT

To confirm the title to certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the title in and to all that certain three story brick messuage or tenement, and lot or piece of ground, situate on the north side of Spruce street, at the distance of one hundred and forty-three feet westward from the west side of Schuylkill Eighth street, now Fifteenth street, in the city of Philadelphia, containing in front or breadth on the said Spruce street, thirty-three feet, and in length or depth northward two hundred and forty feet, to a forty feet wide street, called Ritner street, bounded on the north by the said Ritner street, on the south by the said Spruce street, on the east by ground of Daniel M. Brodhead, and on the west by ground granted by the said Daniel M. Brodhead, to Wright, Hunter and Forsyth, which Charles S. Boker, and wife, by deed, dated May twenty-first, one thousand eight hundred and fifty-five, recorded at Philadelphia, in deed book, number twenty, R*



D W, page five hundred and twenty-nine, granted and conveyed to Gustavus S. Benson, of said city, be and the same is hereby vested and confirmed in and to the said Gustavus S. Benson, his heirs and assigns, free, discharged and divested of any trust or trusts; under the will of Elizabeth Hillborn, or Rachel H. Roberts, late of said city, deceased, and every other trust or trusts whatever, so that the said Gustavus S. Benson shall, from and after the passing of this act, be seized of and hold said premises to him, his heirs and assigns forever, as fully in the same manner and with like effect as if the said Charles S. Boker had held and owned said premises in his own right, freed and discharged from any trust whatever, and having full power so to do, had joined with his said wife to convey the same to Gustavus S. Benson, in fee, or as if the said Gustavus S. Benson were a *bona fide* purchaser of said premises from the said Charles S. Boker, for value, without notice of any trust whatever, or of any fact, matter, or thing which could in any manner charge, affect, or invalidate said premises, or the title of the said Gustavus S. Benson thereto.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 259.

## A N A C T

Authorizing the Governor to incorporate a company to erect a Bridge over Clearfield creek, in Clearfield county, at Madera.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Commissioners.** Samuel Shoff, James Heggarty, William B. Alexander, John Beyer, Samuel Henderson, Henry Heggarty, Charles J. Pusey and James W. Claiborne, of the county of Clearfield, be and they are hereby appointed commissioners, authorized to receive

**Subscriptions.** subscriptions to the capital stock hereby created, at such times and places as they, or any three of them, may direct, previously giving two weeks' notice thereof in one of the papers published in Clearfield county, of the time and place when and where such subscriptions will be received; and at the time of subscribing for said stock, one dollar per share shall be paid to the commissioners in attendance for each and every share so subscribed;

the balance of said subscriptions to be paid in such instalments, and at such times and places, and to such persons, as the president and managers of the company may direct.

SECTION 2. That when twenty or more shares of said stock shall have been subscribed, the said commissioners, or any three of them, shall certify, under their hands and seals, to the governor of the said commonwealth, the names of the subscribers and the number of shares subscribed; and thereupon, it shall be lawful for the governor, by letters patent, under his hand and the seal of the state, to create and erect the said subscribers, and also all those who may hereafter subscribe, into one body politic and corporate, in deed and in law, by the name, style and title of the Madera bridge company; and by that name, those who have subscribed and those that may hereafter subscribe, shall have perpetual succession, with all privileges and franchises incident to a corporation, and shall be capable of taking and holding their capital stock, and the increase and profits thereof, and of enlarging the same from time to time, by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to build the bridge, or their successors, in fee simple, any real or personal estate necessary for the erection of said bridge, and the same to sell and dispose of at their pleasure, of suing and being sued, and of doing all and every other thing which a corporation or body politic may lawfully do.

SECTION 3. That the capital stock of said company shall not exceed two thousand dollars, and be divided into shares of ten dollars each; and as soon as thirty shares of said stock shall have been subscribed, it shall be the duty of the commissioners to give notice, in one paper published in Clearfield county, of the time and place of meeting of the stockholders, who shall, on meeting, proceed to organize the said company, and shall choose, by ballot, in person or by proxy, one president, five directors and one treasurer, and such other officers as they shall deem necessary to conduct the business of said company, until other officers shall be chosen; the officers so elected shall make such by-laws and regulations as shall be deemed necessary for the government of the company, consistent with the laws of this commonwealth, and of fixing upon the site or location of said bridge; and each person shall be entitled to one vote for every share not exceeding ten, and two votes for every five shares over ten; and the said stockholders shall meet on the first Monday in January, in every year, at such place as shall be fixed by the president and directors, for the purpose of electing officers for the ensuing year.

SECTION 4. That the president and directors first chosen, shall issue certificates of stock to the several stockholders, signed by the president and countersigned by the treasurer of said company; which certificate shall be transferable at the pleasure of the holder, in person or attorney, subject to the payment of any balance that may be due thereon, in a book kept by the treasurer for that purpose; and the president and directors shall meet at such times and places as shall be agreed upon, for the transaction of business; at such meetings three members shall constitute a quorum for the transaction of business; they shall

When governor  
to issue letters  
patent.

Style.

Privileges.

Capital stock.

Organisation.

Votes.

Annual meeting.

Certificates of  
stock.

Directors, their  
duties and pow-  
ers.

Location of  
bridge.

keep minutes of their transactions, entered in a book, and shall have authority to agree with and appoint such engineers, superintendents and agents, as they shall think necessary to construct a bridge over Clearfield creek, at the village of Madera, where the public road crosses, which leads from Phillipsburg to Glenn Hope; and to complete the same, and fix salaries and determine the time the stockholders shall pay their instalments due on their respective shares, draw orders on the treasurer for money, the same to be signed by the president and attested by the secretary, and do and transact all things, by this act and the by-laws or regulations of the company, that may be lawful.

May enter on  
lands and take  
material neces-  
sary.

SECTION 5. That it shall be lawful for the president and directors, their superintendents, engineers and workmen, to enter on lands and enclosures near the place where the bridge is to be built, and to cut and carry off any timber, or dig gravel, quarry stone, or gather sand necessary for building said bridge; also to enter thereon with wagons, carts, sleighs or beasts of burden or draft, and take and carry off any material necessary for the construction of said bridge, doing as little damage as possible, and afterwards making amends for any damage that may be done; which damage, if the parties cannot agree, shall be submitted to the decision of three disinterested freeholders, chosen by the parties; and if the parties cannot agree on the men, or if either party, on due notice, shall neglect or refuse in the choices, then said freeholders shall, on application, be appointed by any justice of the peace within the county, who, after being sworn or affirmed, shall assess or appraise the damage and make report thereof to the justice of the peace who appointed them; and the said directors, or other persons by them employed, after the tender of the appraised value to the owner, may enter, chop, dig, quarry, carry off any material necessary in building or repairing said bridge: *Provided*, That either party shall have the right to appeal to the court of common pleas of said county, from the award of said assessors of damages: *And provided further*, That said company shall not take possession of, or use any private property, without first making compensation to the owner, or giving adequate security therefor.

Mode of settle-  
ment with own-  
ers of land.

Proviso.

Proviso.

Accounts.

SECTION 6. That the president and directors of the said company shall keep just and fair accounts of all moneys received by them in any way, under the provisions of this act, and also of all moneys by them expended, and all voluntary contributions to said company, and shall at least once a year, or whenever called on, submit their accounts to the inspection of any or all the stockholders.

Rates of toll.

SECTION 7. When a good and complete bridge is erected over the said Clearfield creek, at the place aforesaid, the company, their successors or assigns may demand and receive tolls from travelers and others crossing the same, at the following rates: For every score of sheep, five cents; for every score of hogs, six cents; for every score of cattle, twelve cents; for every horse or mule, laden or unladen, with his rider or leader, five cents; for every chair, chaise or sulkey with two wheels and one horse, ten cents; the same with two horses, fifteen cents; for every dearborn wagon with one horse, ten cents; for every

chaise, coach, wagon, or other vehicle with two horses and four wheels, fifteen cents; for either of the last named carriages with four horses, twenty cents; for every other carriage of pleasure, under whatever name it may go, the like rates of tolls, according to the number of wheels or horses drawing the same; for every sled or sleigh, five cents for every horse drawing the same; for every cart, wagon or carriage of burden, five cents for each horse drawing the same; and two oxen to be rated as one horse or mule; for every foot passenger crossing the bridge, two cents; and they shall cause to be put and kept up, in some conspicuous place, at the gates of said bridge, a list of the rates of toll.

SECTION 8. That if any person shall wilfully cut, destroy, or break, or remove from off said bridge, or any part thereof, any piece of timber, stone, plank, chains, bolt, or any materials whatsoever belonging to said bridge, or otherwise wilfully or maliciously damage the same, he, she or they so offending, shall forfeit or pay for every such offence, over and above the damage done to said bridge, the sum of twenty dollars, to be recovered, with costs, in any court having jurisdiction thereof. Penalty for damages to bridge.

SECTION 9. The said president and directors shall keep just and true accounts of all tolls received by their respective collectors of tolls for crossing said bridge, and shall make and declare a dividend of the profits and income thereof, among all the stockholders of said company, in proportion to the shares respectively held by each, and deducting therefrom all contingent costs and charges, and such proportion of said income as may by them be deemed necessary for a growing fund for repairing or re-building said bridge; no dividends or profits shall be declared until all the expense of building and constructing said bridge shall be fully paid. Accounts of tolls.

SECTION 10. Said company shall commence the construction of said bridge within one year from the passage of this act; if not commenced in that time, the privileges hereby granted shall revert to the commonwealth. Limitation.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, Anno Domini one one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 260.

## AN ACT

Relative to the Board of Property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fifth section of the act of seventeenth April, eighteen hundred and forty-three, as provides that the state treasurer shall constitute one of the board of property, be and the same is hereby repealed; and that from and after the passage of this act the attorney general of this commonwealth shall constitute one of the board of property, in the room of the said state treasurer.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 261.

## AN ACT

Relative to Hucksters in the counties of Berks and Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter no person or persons shall buy, or barter for, within the limits of the counties of Berks and Franklin, as a hawker or pedler, any butter, eggs, dried fruit, veal, or other article of produce, with intent to send the same for sale or barter to any other market out of the said counties, without first obtaining a license so to do, and paying therefor to the treasurer of said counties, for the use of said counties; the license to be paid by persons residing outside of the limits of said counties of Berks and Franklin, shall be twenty dollars; and by those residing within the limits of said counties, ten dollars; which license the treasurer of said counties is hereby authorized and required to grant upon the payment of such sums.

License to be obtained.

Amount of, and to whom paid.

SECTION 2. That if any person or persons shall so engage, or **Penalty.** be concerned in huckstering as aforesaid within the limits of said counties, without first having obtained a license as aforesaid, he or they shall individually forfeit and pay the sum of one hundred dollars; the one-half for the use of the commonwealth, and the other half for the use of the person who shall prosecute the same; the said penalty to be recovered by action of debt before any justice of the peace in said county, as debts of like amount are by law recoverable.

SECTION 3. That the license authorized under the provisions of the act, entitled "An Act relative to hucksters in the counties of Berks and Lebanon," approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, and the supplement thereto, shall be classified, assessed and paid in the same manner and for the same use as is provided for in the first section of this act. **License in Berks and Lebanon counties made similar.**

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 262.

## AN ACT

Concerning the Sale of Railroads, Canals, Turnpikes, Bridges and Plank Roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any railroad, canal, turnpike, bridge or plank road, of any corporation created by or under any law of this state, shall be sold and conveyed under and by virtue of any process or decree of any court of this state, or of the circuit court of the United States, the person or persons for or on whose account such railroad, canal, turnpike or plank road may be purchased, shall be and they are hereby constituted a body politic and corporate, and shall be vested with all the right, title, interest, property, possession, claim and demand, in law and equity, of, in and to such railroad, canal, turnpike, bridge or plank road, with its appurtenances, and with all the rights, powers, immunities, privileges and franchises of the corporation as whose the same may have been so sold, and which may have been granted to or conferred thereupon by any act or acts of assembly whatsoever, **Persons purchasing railroads, canals, &c., sold by decree of court to be vested with all the rights and franchises of such corporations.**

**Subject to.** in force at the time of such sale and conveyance, and subject to all the restrictions imposed upon such corporation by any such act or acts, except so far as the same are modified hereby; and the person for or on whose account any such railroad, canal, turnpike, bridge or plank road may have been purchased, shall meet, within thirty days after the conveyance thereof shall be delivered, public notice of the time and place of such meeting having been given at least once a week, for two weeks, in at least one newspaper published in the city or county in which

**Organisation.** such sale may have been held, and organize said new corporation, by electing a president and board of six directors, (to continue in office until the first Monday of May succeeding such meeting, when, and annually thereafter, on the said day, a like election for a president and six directors shall be held, to serve for one year,) and shall adopt a corporate name and common seal, determine the amount of the capital stock thereof, and shall have power and authority to make and issue certificates therefor to the purchaser or purchasers aforesaid, to the amount of their respective interests therein, in shares of fifty dollars each, and may then, or at any time thereafter, create and issue preferred stock to such an amount and on such terms as they may deem necessary, and from time to time to issue bonds, at a rate of interest not exceeding seven per cent., to any amount not exceeding their capital stock, and to secure the same by one or more mortgages upon the real and personal property, and corporate rights and franchises, or either or any part or parts thereof.

**Powers.**

Certificate to be transmitted to secretary of state and filed.

SECTION 2. That it shall be the duty of such new corporation, within one calendar month after its organization, to make a certificate thereof, under its common seal, attested by the signature of its president, specifying the date of such organization, the name so adopted, the amount of capital stock, and the names of its president and directors, and transmit the said certificate to the secretary of state at Harrisburg, to be filed in his office, and there remain of record; and a certified copy of such certificate so filed shall be evidence of the corporate existence of said new corporation.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 263.

## AN ACT

To incorporate the Brady's Bend Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That H. A. S. D. Dudley, John H. Haines, W. D. Slack and Joseph Winslow, of Brady's Bend, Armstrong county, Pennsylvania, George W. Cass, of Pittsburg, W. B. Ogden, Henry R. Payson and Edwin H. Sheldon, of Chicago, Illinois, and Samuel J. Tilden, of the city of New York, their associates, successors and assigns, and all such persons and parties, companies or corporations as shall become stockholders in the company hereby incorporated, whether citizens or residents of the United States, or elsewhere, shall be and they are hereby constituted a body politic and corporate, by the name, style and title of the Brady's Bend iron company, to be located at and in the vicinity of Brady's Bend, Armstrong county, Pennsylvania; and by said name, style and title shall have succession and a common seal, with power to alter the same at pleasure; and shall have power to sue and be sued, plead and be impleaded, in any court of this commonwealth, or elsewhere; and to appoint all necessary agents and assistants; and may have, enjoy and exercise all the rights and powers necessary for the development and improvement of the mineral land which may belong to said company, in fee simple, by leasehold or license, or in any other way, in Armstrong, Butler and Clarion counties, by mining for oil, coal, iron ore and all other minerals and products which may be found thereon, by making bricks, manufacturing iron, glass, salt and any other article or thing, in whole or in part, which may or can be manufactured from the materials thus found, and for the preparation and conveying the same to market; and for that purpose shall have power to purchase and hold in fee simple, or in any other way, including for life, a term of years, and by license and by the purchase of mining rights in the counties aforesaid, not exceeding seven thousand acres of land in the aggregate at any one time; and to sell and dispose of the property, real and personal, of said company; and to employ the capital, means and credit of said company in acquiring real and personal, and in improving the same in such way and manner as the company may deem necessary for mining, manufacturing and other purposes.

Corporators

Style.

Location.

Powers.

May hold lands in certain counties, &amp;c.

SECTION 2. A majority of the corporators herein named may proceed to open books for subscription to the stock of said company at Brady's Bend; and shall at the same time, or thereafter, designate a time and place for holding the first election of directors of said company, by parties previously subscribing to the stock thereof; each share of stock so subscribed for shall be

Subscriptions to stock.



entitled to one vote, and stockholders may vote in person or by proxy.

**Capital stock.**

SECTION 3. That the capital stock of said Brady's Bend iron company shall be five hundred thousand dollars, to be divided into shares of one hundred dollars each, with the right and power in said company to increase its capital stock from time to time as it may elect, to any sum not exceeding the whole cost to said company of its lands, buildings, works, improvements, materials, stocks and other property, but not in any event to exceed the sum of two millions of dollars.

**Payment of subscriptions.**

SECTION 4. That subscriptions to the capital stock of this corporation may be made payable in money, or in real or personal property, appropriate to the business contemplated by this act, or at a fair valuation to be fixed upon by a majority in interest of its stockholders at the time of such purchase; and such purchases may include the real and personal estate heretofore belonging to parties associated jointly in business, and known by the name and firm of the Brady's Bend iron company.

**Officers, election of.**

SECTION 5. That the affairs of said corporation shall be managed and conducted by a board of directors, to consist of not less than five, nor more than thirteen, as may be determined from time to time by the stockholders, at any meeting of said stockholders; said board of directors shall be stockholders and shall be elected annually after the first election, as hereinbefore provided for, and shall hold their offices for one year, and until their successors are elected; but any failure or omission to elect such directors annually, shall in no wise impair or affect meanwhile the rights and powers of those holding over, or the rights and interests of said company in any way; said board of directors shall elect a president from one of their number, and may elect a vice president, and shall fill all vacancies occurring in their own body, until the next succeeding election by stockholders, and a majority of said board shall form a quorum for business.

**By-laws.**

SECTION 6. That the board of directors shall have power and authority to make and establish such by-laws as are not inconsistent with the constitution of the United States and state of Pennsylvania, and the laws thereof, as may in their judgment be necessary and proper for the organization, regulation and management of the business of said company, and the meetings of stockholders and directors to be held within or without the state, as may be deemed advisable.

**Meetings of stockholders.**

**Directors individually liable in case of dividend over actual profits.**

SECTION 7. That in case the board of directors shall make a dividend of more than the actual net profits, the directors consenting thereto knowingly, shall severally be liable to the corporation, in their individual capacity, for the excess so divided and paid.

**When act to take effect.**

SECTION 8. That this act shall take effect as soon as one thousand shares of stock are subscribed for, and shall continue in force and effect for twenty-five years, after which it shall cease to exist, except so far as may be necessary for the purpose of winding up its affairs.

**To pay bonus and tax.**

SECTION 9. That the corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized, or hereafter created, in four

equal annual instalments, and such other tax as is now or may hereafter be imposed by law on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for country produce furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Individual liability.

SECTION 10. That said company may borrow money and create indebtedness, in such way and manner as the board of directors may deem necessary for the prosecution and management of the business of the same, and issue the securities of said company therefor, in such form and manner, and payable in such places as they may deem proper, at a rate of interest not exceeding seven per cent., and dispose of such securities in such manner and at such places as such board may direct.

May borrow money.

SECTION 11. That executors, administrators, guardians and all other trustees, who may hold stock in their representative capacity, shall be entitled to represent the same without being subject to any personal liability therefor, or on account thereof: *Provided*, That persons holding stock pledged by the owners thereof as collateral security, shall not be held personally subject to any liability as stockholders, and shall not be entitled to represent said stock, but that the owners thereof shall be entitled to such representation, as fully as though no such pledge had been given.

Executors, guardians, &c., holding stock not personally liable.

Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 264

## AN ACT

To confirm the title of the Wesleyan Female College, situate in Wilmington, Delaware, to certain real estate situate in the city of Philadelphia, Pennsylvania.

WHEREAS, James L. Houston and wife, by indenture, bearing date the ninth day of December, Anno Domini one thousand eight hundred and fifty-eight, recorded in Philadelphia, in deed book A D B, No. fifty-seven, page twenty, et cetera, granted and conveyed to the Wesleyan Female college, in fee, for the con-

sideration of six hundred and ninety dollars, all that lot, piece or parcel of land, and appurtenances, situate in the city and county of Philadelphia, state of Pennsylvania, and described as follows, to wit: Situate on the north side of Dauphin street, at the distance of fifty feet from the west side of Tulip street, late district of Richmond, containing in front or breadth on the said Dauphin street, eighteen feet, and extending in length or depth northwardly of that width between lines at right angles with said Dauphin street, eighty-four feet six and one-eighth inches to the back end of the Gordon street lots, bounded northwardly by other grounds of the said James L. Houston, eastward by the ground formerly of Samuel Ayers, westward by ground of Summerfield Methodist Episcopal church, in the county of Philadelphia aforesaid, and southward by Dauphin street aforesaid, together with the party wall on the eastern line of the above described lot:

*And whereas*, Doubts have arisen as to the right of the Wesleyan Female college, being a foreign incorporation, to hold the said real estate conveyed as above recited, and it is proper that the title to the same should be confirmed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said deed, made the ninth day of December, Anno Domini one thousand eight hundred and fifty-eight, by the said James L. Houston and wife, to the said Wesleyan Female college, shall be taken to be good and valid; and that the title to the said real estate be vested and confirmed absolutely in the Wesleyan Female college, their successors and assigns; and that any or all rights or claims which this commonwealth may have to the said real estate, be and they are hereby extinguished and released to the said Wesleyan Female college, their successors and assigns.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 265.

## AN ACT

Incorporating the East Pennsylvania Agricultural and Mechanical Society.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel E. Hartranft, Frederick Haas, Perry M. Hunter, William L. Williamson, Henry S. Hitner, John Ogden, Abraham Brower and Samuel Jarrett, and their successors, be and they are hereby incorporated and made a body politic and corporate, in fact and in law, by the name, style and title of the East Style. Pennsylvania agricultural and mechanical society, to be located at Norristown, in Montgomery county, and by that Location. name shall have perpetual succession. Corporators.

SECTION 2. That the object of this society shall be the pro- Objects. motion of the science of agriculture and horticulture, the improvement of the breed of horses, cattle and other stock, the advancement of mechanical and industrial pursuits, and generally all such lawful incidents to the foregoing objects as may be prescribed by the by-laws of the society.

SECTION 3. The number of shares to be issued by this corpo- Capital stock. ration shall not exceed four thousand, and the par value of each share shall be five dollars; and the holders of said stock shall be entitled to such dividends and at such times as the executive committee may deem it advisable to declare.

SECTION 4. The said society shall have the right to pur- Privileges. chase and hold such real estate in the county of Montgomery, from time to time, for cash or on credit, or partly for cash or partly on credit, as may be necessary for the purposes of the society, with power to execute a mortgage or mortgages for the purchase money thereof; and may also hold such personal property as may be necessary; but the clear yearly value or income of all the real estate that may be used by said society, shall not exceed the sum of ten thousand dollars.

SECTION 5. Upon the death of any stockholder of this society, Death of stock- his or her interest shall revert to his or her legal representatives, holders, relative to be enjoyed by them as if original stockholders. to.

SECTION 6. Each stockholder of this society shall be entitled to a certificate for each share of his or her stock issued, in the name and under the seal of the corporation, attested by the president and secretary, which certificate may be transferred by assignment or endorsement; and the person to whom such transfer shall be made, by complying with the rules and regulations of the society, shall be considered and become a member of the same. Certificates of stock transferable.

SECTION 7. Every stockholder shall become *de facto* a mem- Votes. ber of the society, and subject to the annual payment of fifty cents; and at all elections for officers of the society, each stockholder shall be entitled to one vote, and upon all ques-

tions affecting or controlling the finances or real estate, and other property belonging to said society, each stockholder shall have one vote, and one vote for every five shares of stock he or she may hold: *Provided*, That no stockholder shall be entitled to more than ten votes: *And provided further*, That no stockholder shall be entitled or permitted to vote, whose annual payment shall be in arrears and unpaid after it is due.

Proviso.  
Proviso.

Officers, election of.

SECTION 8. The officers of this society shall consist of one president, two vice presidents, one corresponding secretary, one recording secretary, treasurer, and executive committee of eight, and an auditing committee of three, who shall be elected by ballot, on the first stated meeting, between the hours of one o'clock and four o'clock post meridian, in every year, to be continued in office for one year; and the duties of the said officers shall be prescribed and defined by such by-laws as the said society shall from time to time hereafter ordain. The president, vice presidents, corresponding secretary and recording secretary shall ex-officio be members of the executive committee.

Officers to continue until election.

SECTION 9. The following persons are hereby declared to be the officers of said society, and as such shall continue until the stated election, to be held on the third Monday of January next, to wit: William Wetherill, president; Michael C. Boyer and Erasmus Smith, vice presidents; David Sower, treasurer; Theodore Bean, recording secretary; A. B. Longaker, corresponding secretary; auditing committee, George Fronfield, George Pennick and A. F. Jarrett; executive committee, Samuel E. Hartranft, Frederick Haas, Perry M. Hunter, William L. Williamson, Henry S. Hitner, John Ogden, Abraham Brower and Samuel Jarrett.

Meetings, when held.

SECTION 10. That there shall be stated meetings of the society held on the third Monday of January, April, July and October of each and every year, for the transaction of all matters which may be requisite and necessary for this society.

Quorum.

SECTION 11. That a quorum of the society shall consist of not less than ten members, but no member in arrears shall be entitled to the privileges of the society.

Special meetings

SECTION 12. That special meetings of the society shall be called by the recording secretary, by order of the executive committee, or at the written request of ten members, stating the time and object of said meeting; at which meeting no business shall be done but that for which the meeting was called.

Absence of president.

SECTION 13. That at all meetings of the society or executive committee, the president shall preside; in his absence a vice president; in the absence of a vice president any member may be called to perform the duties of the chair.

Executive committee to fill vacancies.

SECTION 14. That the executive committee shall meet on the first Thursday of every month, and fill all vacancies of office that may occur during the year; a majority shall constitute a quorum.

Special meetings of same.

SECTION 15. That special meetings of the executive committee shall be called by the secretary, by order of the committee, or on the written request of any five members thereof, stating the time and object of said meeting.

SECTION 16. That the society shall have power to make by-laws for their government, not inconsistent with the provisions of this charter, and to alter and repeal the same at any stated meeting, after notice shall have been given at the preceding stated meeting of the proposed alteration, repeal or addition.

SECTION 17. That no alteration of this constitution shall be applied for, except the same has been proposed in writing at a stated meeting of the society; and notice of the same shall be published by the recording secretary, thrice in all the English papers published in the boroughs of Norristown and Pottstown, and one German paper; and the said alteration shall be approved by two-thirds of the members present at the next stated meeting of the society.

SECTION 18. That the society shall have and use one common or corporate seal, with such device as may be agreed upon by the society; which seal shall be affixed by the president, and attested by the secretary, in the execution of all deeds or contracts in the name of the society.

SECTION 19. That this society shall sue and be sued, implead and be impleaded, under the name, style and title of the East Pennsylvania agricultural and mechanical society.

SECTION 20. That whenever two-thirds in interest of the stockholders shall desire to bring the society to a close and wind up its affairs, they shall address a notice to the secretary, signed by them, of such desire, requiring him to call a meeting of the stockholders in accordance with said notice, at which meeting the same shall be decided by the stockholders present, notice having been given by the secretary by letter to each of the stockholders, at least four weeks previous to such meeting, and by advertisements in all the English, and one German newspaper published in the county of Montgomery, for four consecutive weeks, of such proposition; and if the proposition is carried the property of the society shall be disposed of, and the affairs of the society shall be wound up and settled in such manner, and under the direction and supervision of such persons as the stockholders present and voting at such meeting shall determine and direct.

SECTION 21. That whenever the said society shall effect a sale of the whole, or any portion of their real estate, they are hereby authorized and empowered, through their proper officers, to make, execute and deliver to the purchaser or purchasers a deed or deeds of conveyance, in fee simple forever, to all such lands as may be thus sold.

SECTION 22. That the real estate and other property belonging to this society shall be exempt from all taxation, except for state purposes, until otherwise ordered by the legislature of this state.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 266.

## A FURTHER SUPPLEMENT

To the act consolidating the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the receiver of taxes shall appoint the requisite number of collectors of the taxes due from delinquent tax-payers for the several wards, and shall not be confined to constables in making his selections; and he may at pleasure discharge such collectors; and the receiver of taxes shall have all the authority and the same power to proceed against and enforce collection of all moneys received by any collector, and by any sheriff for state or city taxes, which either, or both the county commissioners and county treasurer of any county of this state have, or has, to enforce the payment over of any county tax collected by such officer; the sheriff shall make a monthly settlement, and in default thereof, may be ruled to pay such taxes into court, and shall pay the expenses incurred thereby.

Receiver of taxes to appoint and may discharge collectors.

Mode of enforcing collection of money received by collectors and sheriff.

Sheriff to make a monthly statement, &c.

Powers and duties of collectors.

**SECTION 2.** That the collectors appointed by the receiver of taxes shall have all the powers to collect the taxes under their warrants conferred by the laws of the city of Philadelphia, which the collectors of any county have under the warrants of the county commissioners of any county, against any delinquent tax-payer, or tenant of such tax-payer, and shall perform the same duties and be subject to the like penalties for any default; no warrant shall issue to them to collect any taxes until after the fifteenth day of the month of January succeeding the year for which such taxes were laid; and all collectors shall make return of all taxes against any parcel of real estate which he may not have collected, before the thirty-first day of December of the same year, which shall forthwith be placed in the hands of the proper solicitor for suit and collection by him; such collectors shall make weekly returns of their collections to the receiver of taxes, and in default thereof shall be discharged as defaulters.

Commissions and charges to be paid by delinquent tax-payers

**SECTION 3.** That there shall be the following commissions and charges paid by the delinquent tax-payers, and no other or more, and any demand and collection of other or greater charges, shall subject the party receiving the same to the like penalties, to be in the like manner recoverable as the sheriff is liable to for the like offence, that is to say: A commission of five per cent. to be paid to and received by the receiver of taxes; and the following shall be paid to and received by the collectors, upon warrants placed in their hands, for their own compensation, and the collectors shall collect no commission for the receiver or city; on all sums over ten dollars due from one tax-payer, five per cent. on all sums so due; between five and not over ten dollars in amount, ten per cent.; on sums between one and not

over five dollars, fifteen per cent.; on sums not over one dollar, twenty per cent.; and the following fees, to wit: Seventy-five cents for the warrant and three cents a mile circular measurement to be but once charged from each delinquent; and in case of a distress or distresses and sale made, the same fees which are provided by the fee bill to be paid to constables in Philadelphia, where distress shall be made for rents; no distress shall be made by any collector until he shall have served a printed notice upon the delinquent or tenant, or some adult member of his family, stating that if the amount be not paid within thirty days, distress will be made therefor and for the costs, giving the amount of such costs, nor until after such time has expired.

Distresses.

Notice to be served.

SECTION 4. That if taxes be paid into the receiver's office after the bills have passed into and remain in the hands of the collector, the receiver shall collect the same costs which would have been then payable to the collector, if the money had been received by him, and shall pay them over to the collector.

Costs in certain cases to be collected and paid by receiver to collectors.

SECTION 5. That all taxes in default on the same real estate, filed in the same court, shall be collected in one suit; and no sale of real estate shall be made by the city for taxes, unless the property will bring enough to pay all the taxes in arrear to the state and city; but the sale shall be stayed, unless the said city shall purchase the same, which they shall have power to do, and hold the same, for redemption by the owner, as provided by law; and the same shall not become irredeemable in the city, until six months' previous notice thereof shall be published by the city solicitor, in manner required by law in respect to suits intended to be brought for registered taxes; and after the period of redemption shall have expired, the city shall expose the same to public sale, after such notice as is required in respect to orphans' court sales. In all cases of registered taxes, municipal claims, assessments for removing nuisances, or other charge by the city assessed on real estate, the advertising required, before suit brought, shall be in two newspapers, once a week, for six weeks, with such brevity of description that the charge therefor shall not exceed one dollar and fifty cents for each property; and no sales shall take place for any such claims, taxes or assessments, except on the second Mondays of May and November.

Suits and sales.

Notice.

Times of sale.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 267.

## A SUPPLEMENT

To an act, approved twentieth April, one thousand eight hundred and fifty-eight, entitled "A supplement to an act to regulate the sale of Intoxicating Liquors, approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the aldermen of the respective wards of the city of Philadelphia shall have authority to approve the bonds of such persons as shall have obtained license to sell or vend intoxicating liquors, in and for their respective wards, subject, however, to the approval of the district attorney of said city; and that the fifteenth section of the act of assembly, approved the twentieth day of April, Anno Domini one thousand eight hundred and fifty-eight, entitled "A supplement to an act to regulate the sale of intoxicating liquors, approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six," as authorizes the recorder of said city to approve the bonds, be and the same is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 268.

## AN ACT

For the Suppression of Fortune Telling and similar purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any person who shall pretend, for gain or lucre, to predict future events, by cards, tokens, the inspection of the head or hands of any person, or by any one's age, or by consulting the movements of the heavenly bodies; or who shall, for gain or

The prediction of future events by cards, &c., and certain other offences, made misdemeanors.

lucre, pretend to effect any purpose by spells, charms, necromancy or incantation, shall be guilty of a misdemeanor, punishable by any court of quarter sessions in this commonwealth with fine and imprisonment, or both or either, at the discretion of the court; the first offence shall be punished with not more than two years imprisonment, nor less than fifteen days, and a fine of not more than one hundred, nor less than ten dollars; the second offence with any term of imprisonment and fine, not exceeding five years or five hundred dollars, as the court may deem proper.

SECTION 2. That whosoever shall pretend, for lucre or gain, to tell fortunes or foretell future events, by other means than those aforesaid, shall be guilty of a misdemeanor, to be prosecuted as offences against public law are now prosecuted in this commonwealth, and to be punished as is provided in section first of this act.

*Fortune telling,  
how punished.*

SECTION 3. That if any person or persons shall publish, by card, circular, sign, newspaper or any other means whatsoever, that he or she shall or will predict future events, the said publication may be given in evidence to sustain an indictment under the first and second sections of this act.

*Card or advertisement may be  
given in evidence.*

SECTION 4. That any person whose fortune may have been told as aforesaid, shall be a competent witness against all persons charged with any violation of the provisions of this act.

*Witness.*

SECTION 5. That any person or persons who shall advise the taking or administering of what are commonly called love powders or potions, or who shall prepare the same, to be taken or administered, shall be guilty of a misdemeanor, and shall be punished as is provided in section one of this act.

*The administering of love powders, &c., a misdemeanor.*

SECTION 6. That any person or persons who shall pretend, for lucre or gain, to enable any one to get or to recover stolen property, or to tell where lost articles or animals are, or to stop bad luck, or to give good luck, or to put bad luck on any person or animals, or to stop or injure the business of any person, or to injure the health of any person, or to shorten the life of any person, or to give success in business, enterprise, speculation, lottery, lottery numbers or games of chance, or win the affections of any person whatever, for marriage or seduction, or to make one person marry another, or to induce any person to alter or make a will in favor or against any one, or to tell the place where treasure, property, money or valuables are hid, or to tell the place where to dig or to search for gold, metals, hidden treasure or any other article, or to make one person dispose of property, business or any valuable thing in favor of another, shall be guilty of a misdemeanor, punishable, under the provisions of this act, in any court of quarter sessions; and the party or parties who may have consulted such persons as have pretended to do any of the acts aforesaid, shall be competent witnesses in all proceedings for a breach or breaches of this act.

*Other offences  
and their punishment.*

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

We do certify, that the bill numbered and entitled as follows: No. 134. "An Act for the suppression of fortune telling and similar purposes," was presented to the governor on the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him, wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,

*Clerk of the House of Representatives.*

RUSSELL ERRETT,

*Clerk of the Senate.*

HARRISBURG, *April 8, 1861.*

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No. 269.

# AN ACT

To authorize the sale of certain Real Estate in Franklin county.

WHEREAS, Thomas Mains, of Washington county, Maryland, by his last will and testament, dated August fifth, Anno Domini one thousand eight hundred and forty-five, and recorded in the proper office for the recording of wills, et cetera, in Franklin county, Pennsylvania, did, *inter alia*, bequeath to the archbishop of Baltimore, for the use of the Catholic church, three hundred acres of land, situate and being in Franklin county, Pennsylvania:

*And whereas*, The interest of the devisee requires that the said lands should be sold; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Francis Patrick Kenrick, archbishop of Baltimore, and his successor or successors, shall have power to sell and convey said real estate, or any part thereof, together with all improvements thereon, and to execute a deed or deeds to the purchaser or purchasers thereof, in as full and ample a manner, and with the like force and effect as the said Thomas Mains might or could have done during his lifetime, anything in the laws of this commonwealth to the contrary notwithstanding.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 270.

## AN ACT

Relative to taxation in the borough of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough and road taxes of the borough of Chester shall hereafter be levied upon all things made taxable by the act of assembly of this commonwealth, passed April third, one thousand eight hundred and fifty-one, commonly called the general borough law, excepting such property as is exempt from taxation for road purposes in the several townships in this commonwealth, and the proceeds thereof shall be used for all borough and road purposes and for payment of the debts of the borough.

Borough and road taxes, how levied.

Exception.

Proceeds, how used.

SECTION 2. That the first and third sections of the act of assembly of this commonwealth, entitled "An Act to alter and amend an act to erect the town of Chester, and its vicinity, into a borough, and for other purposes therein mentioned," passed March fourteenth, Anno Domini one thousand eight hundred and sixty, and all other laws hereby altered or supplied, be and the same are hereby repealed: *Provided,* That if more money shall be needed for lighting the streets, for police, for a nightly watch, and for paying of one thousand three hundred dollars of the present borough debt, than can be raised by the borough dog tax, the borough revenue apart from taxation, and a tax of one mill on the dollar upon the assessed value of the real estate of the borough, all such excess necessary shall be assessed only upon the dwelling houses and lots in the said borough, exempting the farms and farm houses.

Repeal.

Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 271.

## AN ACT

To extend the act relating to the Selling of the Repairing of the Public Roads in certain townships in Schuylkill county, to Zerbe township, in the county of Northumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty, entitled "An Act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county," be and the same is hereby extended to Zerbe township, in the county of Northumberland.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 272.

## SUPPLEMENT.

To an act to extend the provisions of the law relating to the Selling of the Repairing of the Public Roads in certain townships in Schuylkill county, to Conyngham township, in Columbia county, and Mount Carmel and Zerbe townships, in Northumberland county.

Duties of super-  
visors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supervisors elected in the township of Conyngham, in Columbia county, and in the townships of Mount Carmel and Zerbe, in Northumberland county, after having given ten days' public notice, by at least six written or printed handbills, posted in the most public places in said townships respectively, shall, within one month from the time of entering upon the duties of their respective offices, give out by public out-cry, to the lowest and best bidder, the making and repairing of the*

public roads in said townships, in accordance with the provisions of the law to which this is a supplement: *Provided, That* *Proviso.* when no township treasurer or town clerk has been elected, said supervisors shall perform the duties enjoined by the provisions of the act to which this is a supplement, until the next election.

SECTION 2. So much of the law, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one, as requires the publication of notices of lettings of public roads, in newspapers in Schuylkill county, be and the same is hereby repealed, so far as regards the said townships of Conyngham and Mount Carmel and Zerbe. *Repeal.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

### No. 273.

## A FURTHER SUPPLEMENT

To the act, entitled "An Act to encourage the Manufacture of Iron with Coke or Mineral Coal, and for other purposes," passed the sixteenth day of June, one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the stockholders of any existing company incorporated under the act to which this is a supplement, as well as others, to subscribe to articles, with or without amendments of its existing articles, for the renewal of such company's charter, for a further term not exceeding twenty-five years from the date of the enrolment of such new articles; and thereupon, such company shall continue, for its renewed term, invested with all its property and effects, and with all and singular the rights, powers, privileges and franchises conferred upon such company by the said act to which this is a supplement, and by any other act of assembly, and be subject to all the restrictions and liabilities therein contained; and the evidence of such renewal of the charter shall be the certificate of the attorney general and governor of the commonwealth, as now provided by law in respect to original charter; and the stockholders may subscribe to the articles of renewal by proxy, as provided by

law in respect to proxies, to vote for them at elections; and a subscription by three-fourths of the stockholders shall warrant the issuing of the renewed charter, for which the fees provided by law shall be paid to the commonwealth; the non-subscribing stockholders shall have the same rights in the renewed charter as though they had subscribed the new articles; all charters so renewed may be, in like manner and with like effect, renewed, from time to time: *Provided*, That any company which shall avail itself of the provisions of this bill shall pay to the secretary of the commonwealth, for the use of the commonwealth, one-half of one per centum upon the capital stock of said company, payable in five annual instalments; the first whereof shall be paid in one year from the time of filing said certificate, and such other tax as is or may be imposed by law upon corporations.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 274.

## AN ACT

To authorize the School Directors of the District of Honesdale, Wayne county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the school directors of the district of Honesdale, Wayne county, and their successors in office, be and they are hereby authorized and empowered to borrow money from time to time, and in such sums as they may think proper, in all not to exceed three thousand dollars, and at a rate of interest not exceeding six per cent.; same to be applied to the payment of real estate purchased by said directors for school purposes, and improving same, and to issue a bond or bonds, or execute a promissory note or notes therefor, of not less than one hundred dollars each, and to renew same from time to time, and the same and any and all renewals thereof to secure by a mortgage upon the real estate purchased by or belonging to said school district; said bonds, notes or mortgages to be executed by the president,

and attested by the secretary of the board, in such manner as may be directed by said board of directors.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 275.

A SUPPLEMENT

To an act, entitled "An Act to improve the Navigation of the river Lackawaxen," passed the thirteenth day of March, one thousand eight hundred and twenty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the president, managers and company of the Delaware and Hudson canal company be and they are hereby authorized and empowered to erect, construct and maintain telegraph lines and communications along the line of the said canal and railroad, commencing in the county of Pike, at or near where said company's canal crosses the river Delaware, and from thence along the line of said canal, to the southern boundary line of the borough of Honesdale, and from thence along the line of the said company's railroad to the terminus thereof, in the county of Luzerne, with the further power and authority of extending the said telegraph lines into the borough of Scranton, Luzerne county, or along the line of any future lawful continuation of said railroad; and the said company, and all such persons as they may authorize and employ, shall have power and authority to enter into and upon, hold, occupy and enjoy any land necessary for locating, constructing, maintaining, using and repairing of the said telegraph lines and fixtures necessary thereto; and the same to be so erected and constructed as not to interfere with the common use of any road, highway, streets or waters.

Delaware and Hudson canal company empowered to erect telegraph lines.  
Route.

May extend the same.

Privileges.

SECTION 2. That they are hereby authorized and empowered to construct and maintain, not exceeding two miles in length, branch or lateral roads or track, from or to connect with their present railroad as the same is now erected and constructed, with the necessary branches and fixtures for the purposes of their coal business. The damages for taking lands in and for the construction of said telegraph lines, and of said branch or lateral railroads, and also for the construction of any other

Authorized to construct branch railroad.

Purposes of.



Damages, how  
assessed and se-  
cured.

lawful extension of their works, within their chartered limits in this state, hereafter made, and of any necessary devices, fixtures or appurtenances connected therewith, to be assessed and secured in the manner pointed out in the provisions of an act passed the seventh day of April, one thousand eight hundred and fifty-eight, entitled "A supplement to an act to improve the navigation of the river Lackawaxen, passed the thirteenth day of March, one thousand eight hundred and twenty-three."

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 276.

## A FURTHER SUPPLEMENT

To an act to Improve the Navigation of the River Lackawaxen, passed the thirteenth day of March, one thousand eight hundred and twenty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so far as the branch or lateral railroad, and the telegraph lines, mentioned in an act passed April second, 1861, entitled "A supplement to an act, entitled 'An Act to improve the navigation of the river Lackawaxen,' passed the thirteenth day of March, one thousand eight hundred and twenty-three," may be constructed in the counties of Wayne and Pike, the filing of bonds, and all proceedings for the security and assessment of damages for taking land in and for the construction thereof, shall be had and done in the said counties of Wayne and Pike, respectively, in the manner in all other respects as directed by the second section of the said act of April second, 1861.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 277.

A N A C T

Authorizing the Governor to appoint an Inspector of Domestic Distilled Liquors for the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor is hereby authorized to appoint an inspector of domestic distilled liquors for the county of Allegheny, whose duties and compensation shall be the same as those of the inspector of domestic distilled liquors for the city and county of Philadelphia.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 278.

A FURTHER SUPPLEMENT

To an act to authorize the Governor to incorporate a Company to make a Lock Navigation on the Youghiogheny river, approved April eighteenth, eighteen hundred and forty-three.

WHEREAS, In pursuance of a further supplement to above recited act, approved April nineteenth, A. D. eighteen hundred and fifty, the president, managers and company of the Youghiogheny navigation company executed two mortgages, and bonds accompanying the same, both dated July third, eighteen hundred and fifty; the first in favor of William Larimer, Jr., given to secure the payment of fourteen thousand dollars, recorded in the recorder's office for Allegheny county, in mortgage book, volume nineteen, page one hundred and sixty-eight, and in the recorder's office for Westmoreland county, in deed book number thirty-two, pages one hundred and thirty-seven and one hundred and thirty-eight, and again in said last mentioned book, pages two hundred and eighty-six and two hundred

Preamble.

and eighty-seven; and the second mortgage in favor of the Bank of Pittsburg, given to secure the payment of six thousand dollars, and recorded in the recorder's office for said county of Allegheny, in mortgage book, volume nineteen, page one hundred and sixty-nine, and recorded in the recorder's office for said county of Westmoreland, in deed book number thirty-two, pages one hundred and thirty-eight and one hundred and thirty-nine, which mortgages, and bonds accompanying the same, have since been assigned to other persons:

*And whereas*, Said navigation company is wholly insolvent, and the interests, as well of the bondholders of said company as the community through which said improvement passes, require that said improvement should be sold; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Holders of certain mortgages to institute proceedings in Westmoreland county Upon whom writs to be served.

Sale of all rights and property.

Title to pass as fully as if proceedings were had in both counties.

Notice.

Description as recited in mortgages.

Deeds, how executed.

Former acts repealed so far as relates to the Youghiogheny navigation company.

Powers, &c., vested in purchasers.

Style.

Subject to.

it shall be lawful for the holders of said two mortgages, and bonds accompanying the same, to institute proceedings, by writs of *scire facias*, upon one or both of said mortgages, in the court of common pleas of said county of Westmoreland; and it shall be sufficient to serve said writs of *scire facias* upon one or more of the last elected board of directors and the sequestrator of the said Youghiogheny navigation company; and further, upon judgments that may be obtained on said proceedings, to sell, by due process, all the corporate rights, franchises and privileges of said navigation company, and the entire improvement, locks, dams, lock-houses and all other real estate of said company, situate in both of said counties of Allegheny and Westmoreland, and to pass the title of the same to the purchasers, as fully, and to all intents and purposes, the same as if said proceedings and sale were had in both of said counties. In addition to the notice now required by law of said sale, notice shall also be given by three publications in one newspaper published in said county of Allegheny. The sale and transfer of the same, by the description thereof as contained and recited in said two mortgages, shall be sufficient to transfer all the property and estate of said company in said improvement, and the real estate connected with the same; and the deeds for the same shall be executed by the high sheriff of said county of Westmoreland, in the names of the purchasers, in trust for the Youghiogheny Lock navigation company.

**SECTION 2.** That upon the sale of said improvement as hereinbefore provided for, and delivery of the deed for the same to the purchasers, the act and former supplements, to which this is a further supplement, be and the same is hereby repealed, so far as they confer any powers, rights, privileges or franchises upon the president, managers and company of the Youghiogheny navigation company, and the stockholders of said company; and all of said powers, rights, privileges and franchises, except so far as the same are altered by this supplement, are hereby fully vested in and granted to said purchasers of said improvement, their associates and successors, by the name and style of Youghiogheny Lock navigation company, subject to all the limitations and restrictions contained in said act and former supplements. It shall be lawful for the president, managers

and company of the Monongahela navigation company to become a party to the purchase of said improvement, and also at any time to subscribe for, or purchase and hold, and transfer and dispose of, such number of shares in the capital stock of the Youghiogheny Lock navigation company as they may deem advisable.

The Monongahela navigation company may become a party to purchase.

**SECTION 3.** The affairs of the Youghiogheny Lock navigation company shall be conducted by a board of seven managers, to be elected by the stockholders on the first Monday of June, in each year, to serve for one year and until their successors shall be legally chosen; vacancies in the board shall be filled by the managers for the residue of the term. The managers shall choose from their number a president, to serve for one year; they shall also appoint a secretary, treasurer, and all other officers that may be needful, fix their compensation, and discharge them at pleasure. The board of managers shall also have power to make all necessary by-laws, rules and regulations, and alter and repeal the same at pleasure. Meetings of the stockholders may be called, under such regulations as may be fixed by the by-laws of the company; at all elections and meetings of stockholders, each stockholder shall be entitled to vote, in person or by proxy, one vote for each share he, she or they may hold or represent in the capital stock of the company; but no power of attorney to vote at any election or stockholders' meeting, shall be valid, unless executed and dated within two months immediately preceding such election or meeting; notice of all elections and meetings of the stockholders shall be given by two weekly publications in four newspapers, two published in the county of Allegheny and two published in the county of Westmoreland.

Board of managers.

Vacancies.

Officers.

By-laws.

Meetings.

Votes.

Notices of elections and meetings.

**SECTION 4.** The purchasers of said improvement shall, as soon as convenient after the sale and delivery of the deed for the same, organize the said Youghiogheny Lock navigation company, by the election of seven managers, to serve until the first Monday of June next succeeding such election, and until their successors shall be legally chosen. The stock of said company shall be divided into shares of fifty dollars each, for which each stockholder shall receive certificates, signed by the president and secretary, and having the corporate seal of said company affixed; all transfers of stock shall be made in person or by attorney, upon the books of the company, upon the surrender of the certificates representing the same, in the presence of the president or secretary. The purchasers of the improvement shall be entitled to shares in the capital stock in proportion to their respective interests in the purchase. The capital stock may, at any time, be increased, by the consent and approval of stockholders representing two-thirds of the entire capital stock, given at a meeting of stockholders.

Organization.

Shares of stock, certificates, &c.

Transfers.

Capital stock may be increased

**SECTION 5.** That it shall be lawful for the board of managers of the Youghiogheny Lock navigation company, whenever it may be necessary for the maintenance or repair of their improvement, to borrow any sum or sums of money, not exceeding twenty thousand dollars in the aggregate, at any rate of interest not exceeding seven per cent. per annum, and to issue the bonds of the company therefor, payable at any period

Authorized to borrow money.

To issue bonds, &c.

not exceeding twenty years, and to secure the payment of the same, and the interest accruing, by a mortgage or mortgages upon the entire improvement, locks, dams, lock-houses, and all real and personal estate, and all tolls, revenues, profits and receipts, and also the franchises, rights, powers and privileges of the said Youghiogheny Lock navigation company: *Provided*, That the board of managers shall not execute any bonds and mortgages, for any sum or sums exceeding in the aggregate three thousand dollars, unless the same shall have been previously authorized and approved by stockholders representing two-thirds of the entire capital stock of the company, at a stockholders' meeting.

Proviso.

Remedy of bond-holders in case of non-payment.

SECTION 6. That it shall be lawful for the holders of any bonds and mortgages that may be executed in pursuance of the fifth section of this supplement, their executors, administrators or assigns, upon their non-payment, to institute proceedings in the proper court of any one of the counties through which said improvement passes, and where such mortgage or mortgages may be recorded, and upon judgment or judgments which may be had thereon, to sell the entire improvement, estate, effects, franchises and rights which may be so mortgaged, as fully and to all intents and purposes the same as if said proceedings and sale were had in each of said counties: *Provided*, That notice same as may be required for sale of other real estate on like process, shall be given in each of the counties through which said improvement passes, or where any part of their real estate may be situate: *And provided further*, That the purchaser or purchasers, at any such sale, their associates, successors and assigns, shall have and enjoy all the corporate rights, franchises, powers and privileges, and be subject to all the restrictions and limitations of the said Youghiogheny Lock navigation company, by the same name and title, as fully and to all intents and purposes the same as they may, at the time, be held by the said company, and in proportion to their several interests in such purchase, and with the same representation of stock.

Proviso.

Proviso.

Repeal.

SECTION 7. That all acts and parts of acts of assembly inconsistent with the provisions of this supplement, be and the same are hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 279.

## A N A C T

Relative to the Catasauqua and Fogelsville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Catasauqua and Fogelsville railroad company be and they are hereby authorized to make one or more branches from their road to the iron ore mines situated in Lehigh and Berks counties; no branch to exceed six miles in length; and to enjoy all the privileges and be subject to all the restrictions contained in their original charter and the supplements thereto. Authorized to make branches.  
Subject to.

SECTION 2. That the time for completing the Catasauqua and Fogelsville railroad to Long Swamp township, Berks county, be extended six years. Extension.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 280.

## A N A C T

To incorporate the Walker Hall Association of Germantown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William K. Smith, William Sibson, Charles F. Siddon, Casper Guyer, Frederick A. Burness, Jacob Mushler, William Toplis, William F. Smith, and their successors, and all persons who now are or hereafter may be holders of the stock hereinafter mentioned, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, Corporators.

Style.	style and title of the Walker hall association of Germantown; and by that name shall have perpetual succession, and be able
Powers and privileges.	to sue and be sued, plead and be impleaded, in any court of law or equity, and elsewhere; to have a common or corporate seal, and the same to alter and renew at pleasure; and shall be able and capable, in law and in equity, to take and hold, to them and their successors, either by grant, gift, devise or lease, any lands or real estate, for the purpose of erecting thereon a suitable building or buildings for the use of said association; and also to take and hold, for the use of said association, any goods and chattels, sum or sums of money, by gift, grant, bargain, sale, will, devise or bequest, from any person or persons whatsoever capable of making the same, and the same, at their pleasure, to grant, bargain and sell, for the use of said association; and generally to do all and singular the matters and things which shall be lawful for them to do, for the well being and due management of the affairs of the said association; and shall have and exercise all the rights, privileges and immunities necessary for the purposes of the corporation hereby constituted.
Purposes of.	
Object.	SECTION 2. The object of said corporation shall be to provide, erect and furnish, a hall, or suitable building or buildings, in the
Location of buildings.	Twenty-second ward of the city of Philadelphia, for the accommodation of the lodges of the Independent Order of Odd Fellows, and other societies, established or to be established there.
Capital stock.	SECTION 3. That the capital stock of said corporation shall not exceed twenty thousand dollars, which shall be divided into two thousand shares of ten dollars each, and be issued and transferred in accordance with such by-laws as the managers may establish.
Board of managers.	SECTION 4. That the government and control of the said Walker hall association, and the management of its property and affairs, shall be vested in, and the corporate powers of said company shall be exercised by, a board of seven managers, who
Election.	shall be elected annually, on the second Monday in March, by ballot, from the stockholders, each stockholder to be entitled to one vote for each share of stock held by him. The managers
Votes.	shall continue in office until their successors be elected; they shall elect a president, secretary and treasurer, from among themselves, supply all vacancies in their number, however occasioned; and that until others be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such.
Officers.	
Annual meeting, when and where held.	SECTION 5. That a general meeting of the stockholders, for the election of managers and the transaction of other business, shall be held annually, on the second Monday in March, at such time and place as shall be designated by the board of managers; of which meeting, at least one week's public notice shall be previously given; and special meetings of the corporation shall be called and held as shall be provided by the by-laws thereof.
Special meetings	
Reservation.	SECTION 6. That the legislature hereby reserves the right to alter, revoke or annul the charter of the said Walker hall association of Germantown, whenever, in their opinion, it may be injurious to the citizens of this commonwealth; in such man-

ner, however, that no injustice shall be done to the corporators thereof.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 281.

## A SUPPLEMENT

To the act to incorporate the Chestnut Hill Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Chestnut Hill water company is hereby authorized to borrow the sum of forty thousand dollars, on mortgage of their lands, works, property and corporate franchises, and to issue bonds of the company to that amount, to be secured by said mortgage, payable at such time or times as the board of managers shall appoint. May borrow money and mortgage property.

SECTION 2. That it is hereby declared to be the true intent and meaning of the act incorporating said Chestnut Hill water company, passed April twenty-fourth, one thousand eight hundred and fifty-six, that the works and property of said company should be located on Chestnut Hill, in Philadelphia and Montgomery counties, to supply the inhabitants thereof, and of the neighborhood adjacent thereto, with water; and the restrictions in the second section of the said act contained, not to extend the pipes beyond Miller's lane, nor beyond Allen's lane, are hereby repealed. The intent of certain parts of the act of incorporation defined.  
Repeal of certain restrictions.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 282.

## A N A C T

To incorporate the American and India Commercial Company.

Corporators.	<p><b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Henry C. Rogers, Lewis Bounefoux, Henry Lye, H. Hyde Clark, Daniel Green Mathews, Robert M. Evans, Alexander H. Freeman, James M'Closkey, junior, Joseph M. Harper, Charles B. Hall, Edwin H. Clarke, James Freeborn, Thomas A. Scott, Joseph Curtis, Nathan Reily and Alexander Davis, and such other persons, corporations and bodies politic, who by them, from time to time, shall be admitted to be and become shareholders in the joint stock and capital of the company, shall be one body corporate and politic, in deed and in name, with perpetual succession, to them and their successors, under and by the name, style and title of the American and India commercial company; and shall have and use a common seal, and the said seal may alter and amend, from time to time, at their pleasure; and by the said name the said company shall and may sue and be sued, plead and be impleaded, answer and be answered unto, as any other suitor, in all courts and places whatsoever.</p>
Style.	
Privileges.	
Capital stock.	<p><b>SECTION 2.</b> That the joint stock and funds to be contributed by the said contributors to the capital of the said company, shall not exceed the sum of five hundred thousand dollars, to be divided and held in shares of sixty dollars, or of twelve pounds and ten shillings sterling, each share to be called for and contributed in manner hereinafter mentioned, which shares shall be personal property, and shall be transferable, by delivery of certificates or by any other legal mode of assignment, at the pleasure of the owners; and every stockholder shall have and exercise one vote for every share duly paid upon, which shall then be held and registered by him, her and them, on the books of the said company as aforesaid.</p>
Shares.	
Transfer of.	
Powers and objects.	<p><b>SECTION 3.</b> That the said company shall have and possess authority to receive on deposit and consignment, and acquire, hold, use and enjoy, agricultural and manufacturing products, and to make, endorse and guarantee, buy, sell and exchange bullion, gold, silver and moneys, and bills of lading, lands, tenements, invoices, goods and merchandize, wares and chattels, which it may exchange for money and other securities; and advance and loan upon all or any of the objects aforesaid, such sums of money, at such prices and premiums of exchange as may be agreed upon between the lender and borrower; buy, sell, exchange and dispose of such property so lodged and deposited as may be contracted for and agreed by the person or persons transacting such business with the said company: <i>Provided,</i> That nothing contained in this act shall be construed to</p>
Provide.	

authorize the said company to issue any bill or note, in the similitude of a bank note, or to exercise banking privileges.

SECTION 4. That for conducting the business of the said company, there shall be one proprietor, who shall have and hold not less than twenty shares in the capital stock, and who shall be called the president; he shall be chairman and president of all meetings of the said company, and the manager and director of its affairs; one other proprietor, qualified as aforesaid, shall be called the factor of said company; one other proprietor, so qualified, shall be called the controller of said company; one other proprietor, so qualified, shall be the correspondent of said company; one other proprietor, so qualified, shall be the registrar of said company; and one other proprietor, so qualified, shall be the auditor of said company; which seven officers, when duly assembled, shall be the board of directors of the said company, which board of directors, or a majority of them, of which the president shall be one, concurring in any act, shall have and exercise full power and authority to make all rules and orders for the government of and control in and over the funds, property, business, transactions, and all affairs of the said company; and every person in the service of the said company shall be personally and individually responsible, criminally and civilly, for his acts of malfeasance; and the said board of directors shall have authority to appoint such officers, agents, brokers, and other persons and agencies, in such cities, ports and places as they may or shall deem proper for transacting the business and affairs of the said company.

Mode of conducting business.

Officers, their duties and powers.

Agencies, &c.

SECTION 5. That it shall be the duty of the board of directors, so often and when any periodical dividend of profits of the business of the said company within this commonwealth is to be declared, to make a return thereof to the treasurer of this state; and the said company shall and may carry on and perform its business and affairs as aforesaid, any law, usage or custom to the contrary in anywise notwithstanding.

Board of directors to make return of dividends to state treasurer

SECTION 6. That this act shall continue in force for a period not exceeding twenty years.

Limitation.

SECTION 7. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such taxes as is or may hereafter be imposed upon corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Bonus.

Individual liability.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 283.

## AN ACT

Relating to the Cambria Iron Company.

## Preamble.

WHEREAS, The Cambria iron company has heretofore issued bonds to the amount of one million of dollars, which are now outstanding, one-half thereof being secured by a first mortgage, and the other half by a second mortgage of the works and property:

*And whereas*, The said company has become embarrassed, by reason of its inability to pay the interest on the bonds secured by the second of said mortgages, which interest is now greatly in arrear:

*And whereas*, The said company has created and issued, and has now outstanding, the stock thereof to the extent of one million of dollars:

*And whereas*, By reason of the embarrassments of said company, and their inability to pay the interest in arrear, the property thereof may, upon proceedings had upon said second mortgage, be sold out according to the terms thereof, and the business of the company interrupted and the large body of persons now occupied about said works and property be deprived of employment:

*And whereas*, The stockholders of said company have, by very general consent, agreed to the terms of a proposed adjustment, by which the greater part of their stock shall, in order to protect the residue thereof, be surrendered and transferred to the company, and by them applied, as hereinafter expressed, to the extinguishment of the bonds secured by said second mortgage, (which will thereby be satisfied,) and to the payment of the arrears of interest thereon; therefore,

Stockholders authorized to surrender certain proportion of stock.

To be applied to the payment of bonds.

Disposition of surplus of stock.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the stockholders of the Cambria iron company to surrender and transfer to the said company, nine of every ten shares of the stock thereof, by them respectively held, and the said company is hereby empowered to apply, dispose of, and transfer the stock so surrendered and transferred, or so much thereof as may be necessary, at par, for and in extinguishment and payment of the principal and interest of the bonds secured by the said second mortgage, and to sell, dispose of, and transfer the surplus of said stock not required for such purpose, in such way and manner and on such terms as may be by said company deemed needful: *Provided always*, That nothing herein contained shall be so construed as to prejudice or impair the right of said company to issue preferred stock, as provided by an act of the general assembly of this commonwealth, entitled "A further supplement to the act incorporating the Cambria iron company," approved the sixteenth day of March, Anno

Domini one thousand eight hundred and fifty-nine, which preferred stock so authorized to be issued, may be used and applied by the company, at par, in such manner and to such amount as they may deem expedient, in and for the purchase of any real or personal property, to be used by them in carrying on the business of said corporation.

SECTION 2. That any holders of stock of said company who shall assent to the provisions of this act, shall, as against the non-assenting stockholders, notwithstanding the surrender and transfer of their certificates of stock, continue to be entitled to all the benefit and advantage and legal rights that now belong to them, as fully as if such surrender and transfer of certificates of stock had not been made, and as fully as the non-assenting stockholders are or may be, until all the stockholders shall have assented to this act; and no such non-assenting stockholder shall, by any means, be benefited by reason of the surrender and transfer of those assenting to the provisions of this act; but in any judgment or decree of any court made or given in favor of such non-assenting person, or in any dividend declared by said corporation on the capital stock thereof, or in respect to any other right therein, such assenting or non-assenting stockholders shall be entitled to such rights, title and interest as they would respectively have been entitled to if such surrender and transfer had not been made: *Provided*, That after the passage of this act, it shall be the duty of the managers of the said Cambria iron company to call a meeting of the stockholders thereof, giving twenty days notice of the same, in one or more daily papers printed in Philadelphia, said notice to state that this meeting is called to consider upon and accept or reject this act: *And provided further*, That all stockholders who shall not, within sixty days after notice served upon them respectively of the passage of this act, express in writing their dissent to the provisions of the act, shall be taken and considered to have assented thereto, as fully as if such assent had been given in writing. *Provide.* *Provide.*

The rights of assenting and non-assenting stockholders to remain the same and unimpaired by transfer.

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ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 284.

## A N A C T

Authorizing the State Treasurer to pay to the Towanda Bridge Company a balance remaining in the Treasury due them in pursuance of a contract made with the Board of Canal Commissioners, July twelfth, one thousand eight hundred and fifty-six.

WHEREAS, By the thirty-sixth section of an act to provide for the ordinary expenses of government, et cetera, approved the thirteenth day of May, Anno Domini one thousand eight hundred and fifty-six, the sum of eighty-seven thousand dollars was appropriated to the Upper North Branch canal, upon the estimate of William R. Maffit, superintendent of that line of canal, included in which estimate was the sum of three thousand dollars to the Towanda bridge company :

*And whereas*, By the fifty-sixth section of the same act, the further sum of seven thousand five hundred dollars was appropriated to the Towanda bridge company, both of which was for the purpose of repairing said bridge and building a towing path attached thereto, for the use of the commonwealth :

*And whereas*, The board of canal commissioners did on the twelfth day of July, Anno Domini one thousand eight hundred and fifty-six, in pursuance of the provisions of the act of assembly above mentioned, enter into a contract with the Towanda bridge company for the repairing of their bridge with towing path attached, for the use of the commonwealth, for which said bridge company were to be paid the sum of nine thousand dollars, out of the money appropriated as aforesaid :

*And whereas*, There is a balance of fifteen hundred dollars remaining due and unpaid upon said contract ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer is hereby authorized and required to pay over to the Towanda bridge company the sum of fifteen hundred dollars, being a balance due them in pursuance of a contract with the board of canal commissioners, made the twelfth day of July, Anno Domini one thousand eight hundred and fifty-six, said sum to be paid out of any moneys in the treasury : *Provided*, The auditor general, attorney general and state treasurer are satisfied that the same is due and unpaid, and the commonwealth is bound for the same.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 285.

## AN ACT

Relating to certain of the Real Estate late of Edward Shippen Burd, deceased.

WHEREAS, Edward Shippen Burd, esquire, late of the city of Philadelphia, deceased, by his will and the codicils thereto, duly proved and registered at Philadelphia, did will and direct that certain of his real estate, situate at the south-west corner of Chestnut and Ninth streets, in the said city, should, after the decease of his wife, Eliza Howard Burd, (who is since deceased,) be improved by the surviving executors of his said will and codicils, by the construction thereon of stores and buildings, according to and upon a certain plan of improvement therein set forth and contained; and did further direct, that after being so improved, the said real estate should be sold and disposed of by said executors, and the proceeds thereof distributed by them among his residuary legatees therein named:

*And whereas*, A plan for the improvement of said real estate may be adopted, which, without impairing or infringing upon the general design or intent of the testator, may result more to the benefit and advantage of the legatees of the proceeds of said estate, by making some variations and changes in the size and description of the several stores or buildings to be so constructed thereon from those set forth in said will and codicils:

*And whereas*, The said testator, by his said will and codicils, did further order and authorize his executors to sell and dispose of his real estate, formerly in Blockley township, Philadelphia county, now in the Twenty-fourth ward of the city of Philadelphia; and for that purpose, did direct the opening and laying out, through the same, of certain streets, to facilitate the subdivision and selling of the said real estate in lots:

*And whereas*, Since his decease there has been, by authority of the law, a general plan made, laid out and established, of the streets in that part of the said Twenty-fourth ward where the testator's real estate is situate, which does not conform to the plan of the streets so mentioned and directed to be left open by said will and codicils; and as adherence to the latter plan would involve an unnecessary and useless waste of ground, as the public plan provides ample space for highways and access to every part of the premises; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Eli K. Price and Joseph B. Townsend, the surviving executors and trustees of the last will and testament of the said Edward Shippen Burd, deceased, and the survivors of them, and their or his successor or successors in the trust and duty of executing said will, be and they are hereby empowered and authorized to make such changes and variations in the size and de-

Executors empowered to make changes in certain buildings and lots.

Proviso.

Proviso.

Authority given relative to real estate in the Twenty-fourth ward of Philadelphia.

scription of the stores and buildings to be constructed on the said premises, at the south-west corner of Chestnut and Ninth streets, and of the lots into which the same shall be subdivided, from the plan sketched out and contained in said will, as they may think will best suit the demands of business in that locality and be most beneficial to the legatees of the proceeds thereof: *Provided*, That in all other respects the provisions of said will, in respect to said property, shall be fulfilled and carried out: *And provided also*, That the orphans' court of the city and county of Philadelphia, having jurisdiction of the accounts of said executors and trustees, shall approve of such variations and changes as shall be so made, and shall be satisfied that a majority in interest of the legatees of the proceeds of said property shall also assent thereunto.

SECTION 2. That the said surviving executors and trustees of the will of said Edward Shippen Burd, deceased, and the survivor of them, and their or his successors or successor in the trust and duty of executing said will, be and they are hereby authorized and empowered, in making sale and disposition, under the said will, of the said real estate in the Twenty-fourth ward of the city of Philadelphia, to conform to and adopt the streets laid out in the public plan, as the same is now confirmed and established, or may be hereafter modified and established; and are hereby further authorized to vacate and close up any and all streets mentioned and laid down through said property by the said will, which do not conform to the said public plan, and to sell and dispose of the land over which said last named streets were by the said will laid out or mentioned, and intended so to be; the proceeds to be by them held and disposed of for the same uses and purposes as are declared and expressed in said will of and concerning the proceeds of the said testator's real estate in the said Twenty-fourth ward.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 286.

## A FURTHER SUPPLEMENT

To an act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

all those certain parts of the Nineteenth and Twenty-third wards of the city of Philadelphia, included and contained within the following boundaries, shall hereafter constitute and form the Twenty-fifth ward of the said city, viz: Beginning at a point on the Delaware river, at a point where Lehigh avenue would intersect said river, if continued in a right line; thence to the eastern termination of said Lehigh avenue; thence along Lehigh avenue to Germantown avenue; thence along Germantown avenue to the line of the Twenty-second ward; thence along said line to the Frankford creek; thence along Frankford creek to the Delaware river; thence along the Delaware river to the place of beginning.

Erection of a new ward to be called the Twenty-fifth.

Boundaries.

SECTION 2. The qualified voters of the said Twenty-fifth ward shall, at the next election, elect one member of select council, who shall serve for two years, and also one member of common council, who shall serve for two years; and shall thereafter elect members of council as now provided for by law.

Election of councilmen.

SECTION 3. The qualified voters of the Twenty-fifth ward shall, at the next election, vote for nine citizens, to serve as school directors; and the twelve persons having the highest vote shall be elected, four of whom shall serve for one year, four for two years, and four for three years; and at every annual election thereafter, the qualified voters of said ward shall vote for three citizens of said ward, to serve as school directors; and the four persons having the highest vote shall be elected to serve for three years.

School directors.

SECTION 4. The qualified voters of the Nineteenth and Twenty-third wards shall, at the next election, elect school directors to fill any vacancies in the several boards of school directors of said wards, caused by the passage of this act.

Vacancies in boards of school directors, how filled.

SECTION 5. The qualified voters of the Twenty-fifth ward shall, at the next election, elect one assessor, who, in conjunction with the assessors now resident in the said ward, shall act as assessors of the same, until the last day of December, one thousand eight hundred and sixty-two.

Assessor.

SECTION 6. The aldermen and constables of the Nineteenth, Twenty-third and Twenty-fifth wards, shall be elected according to existing laws.

Aldermen and constables.

SECTION 7. All acts of assembly in conflict with the provisions of this act be and are hereby repealed.

Repeal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 287.

## AN ACT

To incorporate the Philadelphia Express Steamboat Company.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> Wilmon Whilldin, Thomas Clyde, Calvin Taggart, William P. Clyde and William M. Farr, and their associates and successors,
Name.	be and they are hereby incorporated into a body corporate and politic, by the name, style and title of the Philadelphia Express steamboat company ; and by the said name, style and title, the
Powers and purposes.	company shall have perpetual succession, and be able and capable in law to sue and be sued, plead and be impleaded, to have a common seal, and to receive, possess, employ and dispose of ships and vessels, with their appurtenances, and the steam engines and other machinery necessary and proper for the propulsion and navigation thereof by the use of steam, and to hold and use all necessary easements for loading and unloading, receiving and delivering merchandise transported or to be transported in said ships and vessels, so to be customarily navigated by them ; and further, to have all such rights and powers as are or may be properly incident to a corporation, having for its object the transportation of goods, wares, merchandise, and the conveyance of passengers and mails by the means of steam navigation, to and from the city of Philadelphia : <i>Provided</i> , That nothing herein contained shall be construed to confer on the said corporation any banking or mining privileges, or the right to hold real estate, excepting so much as may be deemed necessary to accommodate the company's vessels, or such as may be conveyed to said corporation as security for or in payment of debt.
Provide.	
Directors and officers, election of.	SECTION 2. That the five persons named in the first section of this act shall be directors of the said corporation, until their successors are chosen by the stockholders, with power to choose from amongst their number a president and secretary. An election for five directors shall be held on the second Tuesday in February, one thousand eight hundred and sixty-two, and annually thereafter, of which election public notice shall be given of the time and place ; but no failure to elect directors at the time named shall work as a non-user, but those in office shall continue therein until others are duly chosen.
Capital stock.	SECTION 3. That the capital stock of said company shall be divided into shares of one hundred dollars each, and shall consist of two thousand shares, with the privilege of increasing the same to three thousand ; and the persons holding said stock shall be entitled to one vote for each share of stock held by them, and may vote either in person or by proxy ; the shares of the stock aforesaid may be transferred by the owner or owners thereof, their executors or administrators or attorney, duly and lawfully
Votes.	
Transfers.	

authorized, in a book to be provided for that purpose, and in such manner as the directors shall direct.

SECTION 4. That dividends of the profits of said Philadelphia Express steamboat company, as shall appear advisable to the directors, shall be declared and paid to the stockholders at least once in each year; but they shall in no case exceed the amount of the net profits actually made and acquired, after deducting all losses and expenses; and if the directors shall declare and pay any dividend by which the capital stock of the said company shall be impaired, they shall be jointly and severally liable for so much of the said capital stock as may be thus impaired and divided, which shall be recoverable by any party aggrieved or injured, in an action for debt, recoverable as in other cases.

Dividends, how and when declared.

Liability for capital stock impaired by excess of dividend.

SECTION 5. That nothing contained herein shall be so construed to authorize the said company to carry or transport freight or passengers to and from Philadelphia, to any point or place on the Delaware river or bay, northward of the breakwater.

Prohibition.

SECTION 6. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, work-

Bonus.

Taxes on dividends.

men and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the privileges hereby granted shall not extend for a period longer than twenty years:

Individual liability.

*Provided further*, That the act, entitled "An Act to equalize taxation upon corporations," approved April twelfth, one thousand eight hundred and fifty-nine, shall not be so construed as to impose a tax for five years on the capital stock of this company, incorporated for the purpose of transporting goods, wares and merchandise, and for the conveyance of passengers, et cetera, by means of steam navigation, to and from Philadelphia, whose entire capital is invested in steamboats and other vessels, and who pay custom house fees and otherwise comply with the laws of the United States.

Limitation. Proviso.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 288.

## A SUPPLEMENT

To an act to incorporate the Scranton Gas and Water Company, approved the sixteenth day of March, Anno Domini one thousand eight hundred and fifty-four.

Corporate powers extended.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the powers and privileges conferred upon the Scranton gas and water company be so extended that the said company shall have power to provide, erect and maintain all works, machinery, fixtures or engines, necessary or proper for making, receiving and introducing a sufficient supply of gas and pure water to any part or the whole of the township of Providence, the borough of Providence, and the borough of Hyde Park, in the county of Luzerne, in addition to the borough of Scranton.

Privileges and liabilities in erecting new works, &c.

SECTION 2. That in erecting or carrying on any works under the first section of this act, the said company shall have the same powers, enjoy the same privileges, and be subject to the same liabilities, in the said township of Providence, the said borough of Providence, and the said borough of Hyde Park, as it now has, enjoys and is liable to in the said borough of Scranton.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 289.

## AN ACT

Relating to Passengers using the Pennsylvania Railroad and the West Chester and Philadelphia Railroad.

Preamble.

WHEREAS, The present mode of conveying passengers and baggage between the station of the Pennsylvania railroad company, at West Philadelphia, and the inner station of said com-

pany, in the city of Philadelphia, is necessarily slow and inconvenient :

*And whereas*, The said company propose to erect a passenger depot on the west side of the Schuylkill river, and it is needful, in order to accommodate the citizens of Philadelphia and the traveling public, that some more convenient and rapid means should be provided to transport passengers and baggage to and from said station, at West Philadelphia, to and from such inner stations, offices or landings, as by said company may be deemed expedient ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the Pennsylvania railroad company to construct and lay such passenger railway tracks as to them may seem needful, from any station, office or depot, of the said company, in the city of Philadelphia, to connect with the railways of the West Philadelphia Passenger railway company, the Philadelphia City Passenger railway company, or either or both of them, by and with the consent of said companies respectively ; and to enable such convenient transportation of passengers and baggage, the Pennsylvania railroad company is hereby authorized to lay and construct and use, upon any street or streets, in the city of Philadelphia, any such branch or branches, with switches and sidings, as the directors of the Pennsylvania railroad company may deem necessary in order to connect their several depot stations or offices with the tracks of the city passenger railways aforesaid, or either of them, and to make such extensions or branches of both or either of said passenger railways, and to run and use the same as may be required conveniently to reach the wharf or landing at which passengers from New York arrive and depart, and as may be needful for the prompt and convenient transportation of passengers and baggage to and from the Pennsylvania railroad. And the Pennsylvania railroad company are hereby further authorized and empowered to run and use cars for the transportation of passengers and baggage on both or either of the passenger railways aforesaid.

SECTION 2. That the passenger railway companies aforesaid are hereby respectively authorized and empowered to make and enter into any contract or contracts with the Pennsylvania railroad company, or with each other, for the purpose of fulfilling the intent and provisions of this act: *Provided always*, That the tracks to be laid in pursuance of this act shall conform to the gauge of the tracks of said passenger railway companies respectively: *And provided further*, That the portions of the streets so occupied and used by the Pennsylvania railroad company shall be kept in good order and repair by them, and the tracks to be laid by them shall be approved by the chief engineer and surveyor of the city of Philadelphia.

SECTION 3. That similar powers and privileges to those given by this act to the Pennsylvania railroad company, are hereby conferred upon the West Chester and Philadelphia railroad company, and subject to like restrictions ; and the West Philadelphia Passenger railway company, and the Philadelphia City Passenger railway company, or either of them, are authorized

Pennsylvania railroad company authorized to lay passenger railway tracks.

May connect with certain other railways.

Branches, sidings, &c., relative to.

Further privileges of extension and use granted.

Contract authorized.

Proviso.

Proviso.

Similar powers conferred upon the West Chester and Philadelphia railroad company.

## LAWS OF PENNSYLVANIA,

to make any contract with the said West Chester and Philadelphia railroad company, for the purpose of fulfilling the intent and provisions of this act, with regard to said railroad company.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domin one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 290.

## AN ACT

Vacating Filbert street, in the Twenty-fourth ward, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Filbert street, in the Twenty-fourth ward of the city of Philadelphia, extending from the Schuylkill river to Lancaster avenue, be and the same is hereby vacated, and the title to the soil over which the same is laid is hereby vested in the owners of the property fronting on each side of said vacated street, to the middle thereof.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 291.

## AN ACT

For the better organization of the Militia of the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the grand staff of the militia of this commonwealth shall, in addition to the commander-in-chief, who shall have one aid for each division, to be appointed and commissioned by him during his term of office, consist of one adjutant general, who, until otherwise ordered, shall act as paymaster general, inspector general and judge advocate, one commissary general and one quartermaster general, who shall each be of the rank of lieutenant colonel, and who shall be appointed by the governor, by and with the advice and consent of the senate, upon the passage of this act, and to hold their commissions during his pleasure; and they shall each give a bond to the commonwealth, in the sum of twenty thousand dollars, with sufficient sureties, to be approved by the governor.

Grand staff, number, appointment and rank of.

Bonds to be given

SECTION 2. That the adjutant general shall receive a salary of five hundred dollars per annum, and in addition, three dollars per day, when actually engaged in the service of the state; the quartermaster general and commissary general shall each receive five dollars per day, when actually engaged in the service of the state. It shall be the duty of the secretary of the commonwealth to prepare the room formerly occupied by the canal commissioners, in the capitol, for the use of the officers before named, who shall be allowed one clerk, at a salary of one thousand dollars per annum, to be appointed by the adjutant general.

Salaries of adjutant, quartermaster and commissary generals

Office of military department.

Clerk, salary of.

SECTION 3. It shall be the duty of the officers before named to proceed at once to a thorough organization of the militia of the state; and the adjutant general shall keep a complete and correct record of all the organized volunteer companies of the state, including the number of efficient men in each, and the number and quality of their arms and equipments; and the captain of each company shall make monthly returns of the same to the adjutant general. And should the President of the United States, at any time, make a requisition for part of the militia of this state, for the public service, the adjutant general shall take the most prompt measures for supplying the number of men required, and having them marched to the place of rendezvous, and shall call them by divisions, brigades, regiments or single companies, as directed by the commander-in-chief.

Duties of adjutant general.

Captains to make monthly returns.

Duty of adjutant general in complying with the requisition of the president.

SECTION 4. That for the purpose of organizing, equipping and arming the militia of this state, the sum of five hundred thousand dollars, or so much thereof as may be necessary to carry out the provisions of this act, be and the same is hereby appro-

Appropriation of five hundred thousand dollars for organizing militia.

priated, to be paid by the state treasurer, out of any money not otherwise appropriated.

Temporary loans,  
conditions of.

SECTION 5. That should the ordinary revenues of the state not be realized in time to meet the expenditures that may be incurred under the provisions of this act, the governor is hereby authorized and empowered to anticipate the excess receipts to the treasury above the ordinary expenditures, including the interest on the public debt, by temporary loans, based on the faith of the commonwealth, at a rate of interest not exceeding six per centum; such loans shall be negotiated by the governor, at such times and in such amounts (not to exceed the amount appropriated) as the objects and purposes hereinbefore stated shall require. The certificates of loan shall be signed by the state treasurer and countersigned by the governor, and shall not be extended beyond the close of the next fiscal year, to which period the excess receipts, above the ordinary expenditures, are hereby pledged for the payment of such loans.

Certificates of  
loan, signed,  
limited and se-  
cured.

Mode of expendi-  
ture and settle-  
ment.

SECTION 6. That the adjutant general, quartermaster general and commissary general shall expend such amounts of the money hereby appropriated as may be necessary to carry out the purposes of this act. All such expenditure shall be made under the direction and by the advice and consent of the governor; and no bill shall be paid without being endorsed by him, and afterwards settled in the usual manner by the auditor general and state treasurer, when the auditor general shall draw his warrant on the state treasurer for the same.

Repeal.

SECTION 7. That so much of any laws as may be supplied by or conflict with the provisions of this act, be and the same are hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 292.

## AN ACT

To incorporate the Slatington Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That D. D. Jones, Robert M'Dowell, William Overfield, Jr., William*

Carr, Charles Peter, John Remaley, Lewis C. Smith, Moses Kuntz and Hugh M'Dowell, be and they are hereby appointed commissioners; and they, or a majority of them, are hereby authorized to carry into effect the establishment of a water company, to be located in the village of Slatington, county of Lehigh, with a capital stock of six thousand dollars, to be divided into shares of twenty-five dollars each, to be organized, managed and governed as provided by the act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and be subject to all the restrictions and provisions, together with all the rights and privileges, contained in said act.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 293.

## A N A C T

To incorporate the Ninth United Presbyterian Church of Philadelphia.

WHEREAS, We, whose names are hereunto subscribed, being citizens of the commonwealth of Pennsylvania, having associated for the purpose of worshipping Almighty God, and being desirous of acquiring and enjoying the powers and immunities of a corporation, or body politic in law, we do hereby declare that we have associated ourselves together for the purpose aforesaid, by the name, style and title, and under the articles and conditions following, namely:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style and title of the corporation shall be the Ninth United Presbyterian congregation of Philadelphia.

SECTION 2. That the subscribers, and their successors, being admitted members of said congregation, and holding the doctrines embodied in the testimony of the United Presbyterian church, adopted at Pittsburg, May twenty-sixth, Anno Domini one thousand eight hundred and fifty-eight, shall become and be, in law and in fact, a corporation, known by the name, style and title aforesaid; and shall have full power and authority to



- Privileges.** make, have and use one common seal, with such device and inscription as they shall deem proper, and the same to break, alter or renew at pleasure; and by the name, style and title aforesaid shall be capable, in law, to sue and be sued, plead and be impleaded, in any court or courts, before any judge or judges, justice or justices, in all manner of suits, complaints, pleas, causes, matters and demands whatsoever, and all and every matter or thing to do, in as full and effectual a manner as any other person or persons, bodies politic or corporate within this commonwealth, may or can do; and shall be authorized and empowered to make rules, by-laws and ordinances, and to do everything needful for the good government and support of the affairs of the said corporation: *Provided always*, That the said by-laws, rules and ordinances, or any of them, be not contrary to the articles and provisions of this charter, or to the constitution of the state of Pennsylvania.
- Proviso.**
- May hold lands, &c.** SECTION 3. That the said corporation, and their successors, by the name, style and title aforesaid, shall be able and capable in law, according to the terms and conditions of this instrument, to take, receive and hold, for the use of the said congregation, all and all manner of lands, tenements, rents, annuities, franchises, hereditaments, moneys, interests, goods, chattels and effects, of whatsoever nature or kind, which now is or shall, at any time hereafter, become the property of said congregation, by gift, bequest, conveyance, purchase, demise or otherwise; also to grant, lease, bargain, mortgage, sell, alien, dispose of or convey the same, or any part thereof, to be employed and disposed of according to the objects, articles and conditions of this instrument, the articles and by-laws of said congregation, or of the will and intention of the donors: *Provided always*, That the clear yearly value or income of the said messuages, houses, lands and tenements, rents, annuities or other hereditaments and real estate of said congregation, and the interest of money lent by said congregation, shall not exceed the sum of two thousand dollars.
- Proviso.**
- Trustees, number and qualifications of.** SECTION 4. That there shall be a board of trustees of the said congregation, which shall consist of six members, who shall all be in full communion with the said congregation, and they shall be members of said congregation one year previous to their election; they shall be holders of pews six months, the rent of which shall not be less than four dollars per annum, nor shall the arrears of said pew rent exceed six months; they shall also be citizens of this commonwealth.
- Annual election.** SECTION 5. That there shall be an annual election on the first day of every year, except it fall on the Lord's Day, and in such case, then on the day following, for two trustees, to serve for three years; the said election shall be held in the church, and the votes shall be by ballot.
- Terms of trustees** SECTION 6. That the term of two of the present trustees shall expire on the first day of January, in the year of our Lord one thousand eight hundred and sixty-two, when a new election shall take place as aforesaid; that the time of the next two shall expire on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, when a new election shall take place as aforesaid; and that the term of the last

two of the said trustees shall expire on the first day of January, one thousand eight hundred and sixty-four, when a new election shall take place as aforesaid: *Provided*, That any trustee whose term has expired may be re-elected.

SECTION 7. That upon the death, removal or resignation of any trustee, a new election shall be held to supply his place, and the person chosen shall serve only the unexpired term of such trustee, unless re-elected. Vacancies.

SECTION 8. That the power of the board of trustees shall be extended only to the temporalities of the church, rating and letting the pews, collecting the pew-rents, or other duties of the church, receiving the public collections, keeping the place of worship and enclosure in repair, paying the debts of the church, fixing and paying the salary of the minister, clerk and sexton, and when the funds admit of it, to relieve the poor of the congregation; but they shall have no power to dispose of the money or property of this church, for any purpose whatsoever, exceeding one hundred dollars in one year, excepting the salaries above mentioned, without the approbation of a majority of the lawful voters present at a congregational meeting, constitutionally convened. Duties and powers of trustees.  
  
Limitation.

SECTION 9. That the trustees, of whom four shall form a quorum, shall meet within ten days after the annual election; they shall choose all their officers from among themselves, which shall consist of a president, secretary and treasurer; a majority of votes shall elect said officers, and these shall be by ballot; and it shall be in the power of the trustees to remove all or any of the aforesaid officers whenever, in their opinion, the good of the congregation requires it. The treasurer shall receive all moneys belonging to the church, and account for the same to the trustees as often as they shall direct; and before entering upon his office, he shall be required, if necessary, to enter into a bond to his fellow trustees, in such sum and with such security or securities as shall be approved of, for the faithful discharge of the duties of said office. Officers.

SECTION 10. That the trustees shall keep correct minutes and records of their proceedings, and an account of all property given or bequeathed to them, or purchased and held by them, for the benefit of said church, and all moneys received and expended by them, which, with the receipts and vouchers, shall be produced at least ten days previous to the annual election for trustees, for the inspection of a committee appointed by a majority of the voters at the annual congregational meeting, whose duty it shall be to examine and report on the same to the congregation on the aforesaid day of election. Accounts.

SECTION 11. That meetings of the trustees shall be called by the president of his own accord, or at the request of any two members of the board, the notification to be either from the desk, after public worship, or by written notices left at the residence of each member, or by adjournment. Meetings, notice of.

SECTION 12. That all pewholders shall be entitled to vote for trustees: *Provided*, They shall hold a pew or part of a pew, or who pay an annual sum of not less than two dollars into the treasury of the church, and are not more than six months in arrear: *Provided*, They have held a pew six months. The poor Qualification of voters.  
Provide.

- worshippers in the congregation are excepted and shall be entitled to vote: *Provided*, They shall make known their circumstances to the trustees ten days previous to said election. But none shall be entitled to vote for a pastor who are not members in full communion at the time of said election.
- Proviso.**
- Pastor.** SECTION 13. That the pastor of said congregation shall be entitled to a vote at all its meetings.
- Officers of congregational meetings.** SECTION 14. That no person not entitled to vote shall hold any office at a congregational meeting, convened with respect to the temporalities of the church, and in case of tie the president of said meeting may give the casting vote.
- House of worship** SECTION 15. That the house of worship shall at all times be at the disposal of the session and trustees, and shall never be used for merely political or secular purposes.
- Meeting of congregation.** SECTION 16. That when a congregational meeting may be necessary about the temporalities of the church, or any matter not herein provided for, the designs of the meeting shall be stated when it is called, and two days at least shall intervene between notice given and the meeting of the congregation.
- Call for the same** SECTION 17. That a congregational meeting may be called either by the trustees or at the request of any six pewholders entitled to vote for trustees.
- Amendments of charter.** SECTION 18. That no article of this charter shall be amended or dispensed with, or a new one added, but by a vote of two-thirds of the members present at a congregational meeting, called in accordance with the foregoing charter, unless said amendments, alterations or additions shall have been submitted to the proper court and acted upon by them, in accordance with the provisions of the act of assembly in such cases made and provided.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 294

## AN ACT

Relative to Supervisors in the counties of Beaver and Huntingdon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

from and after the passage of this act, the supervisors elected for the several townships in the counties of Beaver and Huntingdon, shall not be required to give bond, as required by the act of the general assembly, approved the sixteenth day of March, Anno Domini one thousand eight hundred and sixty; and so much of the said act as is inconsistent with the provisions of this act, be and the same is hereby repealed, so far as relates to the townships in the county of Beaver: *Provided nevertheless*, That the said act, approved sixteenth day of March, Anno Domini one thousand eight hundred and sixty, shall remain in full force in all the boroughs in said counties of Beaver and Huntingdon.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

We do certify the bill, No. 593, entitled "An Act relative to supervisors in the counties of Beaver and Huntingdon," was presented to the Governor on the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,

*Clerk of the House of Representatives.*

RUSSELL ERRETT,

*Clerk of the Senate.*

HARRISBURG, April 16, 1861.

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No. 295.

## AN ACT

To incorporate the Elk County Mineral and Oil Company, at Saint Marys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Joseph H. Marston, George Weis, F. X. Bieberger, John E. Weidenboerner, E. C. Schultze, Charles F. M'Donnell, C. P. M'Taffe, John Quinn, George E. Weis, John Fuellhart, John Arner, Charles Luhr, George W. Considine, Frederick Shoening, Charles Fuellhart, James Hickey, Lewis L. Dunn, Joseph Heneboehl, Joseph Windfelder, Sebastian Metzger, Michael Brunner, David White, James A. Givon, Alois Loeffler, Edward Welsh, Charles Weis, Jacob Schaut, Joseph Luhr, Charles Fisher, their

Corporators.

- successors and assigns, and such other persons as are now or may hereafter become members of the company now known as the Elk County mineral and oil company, at Saint Marys, be and they are hereby erected and constituted a body politic and corporate in law, by the name, style and title of the Elk County mineral and oil company, at Saint Marys; and by that name shall sue and be sued, and shall generally possess the powers and privileges of a corporation.
- Style.**
- Powers.**
- Objects.** SECTION 2. That the objects of this company shall be to explore, search and bore for mineral oil, and so forth, in Elk county, or any other county in the state of Pennsylvania, and when found, to dispose of it to the best of advantage; also, to secure sites either by purchase or lease.
- Officers.** SECTION 3. That the officers of this company shall consist of one president, vice president, secretary and treasurer, and of three directors, who shall be elected annually on the first Monday of June, and said officers to enter upon the duties of their respective offices on the first Tuesday after the election.
- Duties of president.** SECTION 4. That it shall be the duty of the president to call all meetings, to preside at all meetings of the stockholders and directors, to sign all orders for money on the treasurer, to sign all contracts in behalf of the company, and carry out all the orders of the board of directors, and constitute a member of the board of directors.
- Vice president.** SECTION 5. That it shall be the duty of the vice president to act as president in the absence, resignation or death of the president; he shall be present at the meetings of the board of directors at all times, and constitute a member of said board.
- Secretary.** SECTION 6. That it shall be the duty of the secretary to give security of such amount as the directors shall require, to keep the books of the company, to regulate the correspondence, to keep a correct account of all money received and paid out, to collect all instalments and fines on the stocks of the company, and pay the same over to the treasurer, to keep a correct account of each share of stock, to draw all vouchers for the payment of money on the treasurer, to countersign all orders drawn by the president on the treasurer, and keep a full and correct account of the same, and at the removal, resignation or expiration of his term of office, to deliver up all the money or moneys, books, papers and all property belonging to the company to the board of directors or his successor in office; the secretary can serve as a member of the board of directors if elected as such.
- Treasurer.** SECTION 7. That it shall be the duty of the treasurer to keep a correct account of all money received by him and paid out by him; also, to pay all orders drawn on him by the president and countersigned by the secretary; he shall give a full statement of his accounts when called on by the board of directors or by the company, at any regular meeting; he shall give such security as the board of directors shall require; and at the removal, resignation, death or expiration of the term of office, he shall deliver up all money or moneys, books, papers and all property belonging to the company to the board of directors or his successor in office.
- Board of directors.** SECTION 8. That it shall be the duty of the board of directors to meet as often and at such times as the by-laws shall direct,

to examine all bills and accounts of the company, to decide on the amount of the instalments required to be paid by the stockholders, to pass upon all bills and orders, and direct the secretary to draw all orders on the treasurer, to purchase or lease oil lands to the best interest of the company, to appoint agents, hire workmen and direct the management of the works and business transactions of the company, and give a full report of the same at every stated meeting of the company; subject, nevertheless, to the by-laws of this company. The board of directors shall have the power to remove the secretary and treasurer at any time, in case of proven inability, incapability or misdemeanor of their office, and to appoint a fit person or persons to fill said office or offices for such length of time, until a special election of the stockholders can be held for such officers. It shall be the duty of the board of directors, upon the non-payment of the regular instalments, as provided for in the ninth article of this constitution, to declare the stock of each defaulter forfeited, and to direct the secretary to strike the name or names of such defaulting person or persons from the list of stockholders.

SECTION 9. That each stockholder shall pay in his instalment Instalments, payment of. to the secretary within fifteen days after such instalment shall be laid by the board of directors, due notice thereof being given by the secretary; and upon the non-payment of the amount as levied, shall forfeit his stock, and after the declaration of said stock being forfeited by the board of directors, no further claim can be had on said stock by such stockholder whatever. Each stockholder shall have only one vote and no more, and shall not Votes. hold more than ten nor less than one share.

SECTION 10. That the stock of this company shall consist of Stock. eighty shares, at twenty-five dollars, each share to be paid by instalments, in such amounts as regulated by the board of directors. The stock can be increased by a two-thirds vote of May be increased the stockholders present at any regular meeting, due notice being given thereof. No stock can be transferred unless the transfer Transfers. is made on the books of the company, either in person or by Qualifications of officers and agents. letter of attorney. No officer shall be elected and no agent appointed unless he be a stockholder of the company.

SECTION 11. That in case of death, resignation or removal of Vacancies. the president, vice president, secretary, treasurer or any one of the directors, the remaining officers shall appoint fit person or persons *pro tempore*, to fill such office or offices; then to call a meeting of the stockholders, to hold an election for such officer or officers, within ten days after such death, resignation or removal has taken place, and such person or persons so elected shall serve as such an officer until the annual election is held: *Provided*, That in case of death, resignation or removal of the Provided. president, the vice president shall take the duties upon himself as president and remain as such, and another person to be elected in his place for the office of vice president.

SECTION 12. That the stockholders of said company shall have By-laws. the right, at any stated meeting, to establish such by-laws for the government of the company and regulation of their business as they may deem expedient: *Provided*, The same be not incon- Provided. sistent with the provisions of this act.

**Bonus.** SECTION 12. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the privileges hereby granted shall not extend for a period longer than twenty years.

**Individual Liability.**

**Limitation.**

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 296.

# AN ACT

To incorporate the Somerton Methodist Episcopal Church, in the city of Philadelphia.

**Incorporation.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a corporation is hereby created, under the name, style and title of the Somerton Methodist Episcopal church, in the city of Philadelphia, and by that name shall have power to plead and be impleaded, sue and be sued, in any of the courts of the commonwealth of Pennsylvania or elsewhere, and shall have perpetual succession, by the name and style aforesaid, and shall be a body politic, in law and in fact; and may purchase, have, hold, receive and take, to them and their successors, citizens of the commonwealth of Pennsylvania, lands, tenements, and hereditaments, goods and chattels, effects, causes in action and other estate, and the same, from time to time, shall and may grant, demise, alien or dispose of; and shall and may have and use one common seal, and the same to break, alter and renew at their pleasure; and also make, ordain, establish and put in execution, all such by-laws, ordinances and regulations as to them shall appear necessary and convenient for the government

**Powers.**

**Seal.**

**By-laws.**

of the said society, not repugnant to the constitution or the laws of the United States, to the constitution or the laws of this commonwealth, to the discipline of the Methodist Episcopal church, as established by the general conference of said church, or to these articles of association, and generally to do, determine and execute all such other acts, matters and things, in deed or in law, as to them so incorporated shall and may appertain. The officers of this incorporation shall consist of a president, a secretary and nine trustees, one of whom shall be appointed a treasurer. The minister having the pastoral charge of this church, by virtue of his appointment to it, in conformity to the rules of the general conference of the Methodist Episcopal church, shall be the president of the corporation. The following persons, now trustees, viz: Charles Dyer, James B. Van-hart, John R. Reading, Jesse Taylor, Jesse Harding, Charles Heller and George Lauer, shall be and continue trustees from the present time until the first Monday in January, in the year of our Lord eighteen hundred and sixty-two; at which time there shall be chosen and elected, by the male members of said church, who shall be twenty-one years of age and who shall have been one year in full membership, nine persons, to serve as trustees, who shall be divided into three classes, by lot, three persons being in each class; the time of service of the first class shall terminate on the first Monday in January, A. D. one thousand eight hundred and sixty-three; the time of service of the second class shall terminate on the first Monday in January, A. D. one thousand eight hundred and sixty-four; the time of service of the third class shall terminate on the first Monday in January, A. D. one thousand eight hundred and sixty-five; so that at each annual election of trustees, which shall be held on the first Monday in January of each and every year, three trustees shall be elected by persons qualified according to the foregoing conditions, to serve for three years.

II. No person shall be eligible to serve as a trustee, except a male member of the said church, at least twenty one years of age, and who shall have been one full year next preceding the election in full membership; and no person shall serve as a trustee for a longer term than three years, unless re-elected; in case of death, resignation, expulsion from the church, or refusal to act when elected, the vacancy so caused shall be filled up from among the male members of said church by the remaining trustees, and the person or persons so appointed shall serve for the same time the trustee or trustees whose place he or they was or were appointed to fill would have been entitled to serve: *Provided*, That no person shall be eligible to serve as trustee who has not paid, during the preceding year, at least one dollar as class money.

III. In case anything should prevent the election from being held on the day appointed, in any year, it shall be held as soon thereafter as a majority of trustees shall direct, notice of which shall be given, after the divine service, on two succeeding Sabbaths previous to the said election.

IV. The trustees, immediately after their election, in each and every year, shall choose from their own body a president, secretary and treasurer, who shall continue in office one year,

Officers.

Trustees.

Elections.

Qualifications of voters.

Trustees classified.

Qualifications of same.

Vacancies.

Proviso.

When election not held, relative to.

Officers chosen by trustees.



- unless sooner removed by the said trustees, which removal shall be by at least two-thirds of the said trustees.
- Duties of president.** V. It shall be the duty of the president of the board of trustees to preside at all meetings of the said trustees, to sign all orders passed by the board, and upon all questions on which they shall be equally divided he shall have a casting vote; in his absence, a president *pro tem.* shall be appointed for that meeting, from among the trustees.
- Treasurer.** VI. It shall be the duty of the treasurer to have in charge all the moneys and movable property of the corporation which may be committed to his care, to pay all orders drawn on him by order of the trustees, signed by the president and attested by the secretary; he shall, if requested by the trustees, before entering on his office, make and execute his bond to the corporation, with such security and in such penalty as the said trustees shall direct, conditioned for the faithful discharge of his duties, and that he will deliver up and pay over to his successor in office, or to such person or persons as the said trustees shall direct, all or any property, books, papers or other articles in his possession, belonging to the said corporation, when he shall be required so to do by the said trustees or a majority of them.
- Secretary.** VII. It shall be the duty of the secretary to attend all meetings of the board of trustees, to take and preserve fair and correct minutes of their proceedings, to attest all orders for money drawn on the treasury by order of the trustees, to enter the same on the minutes, and to give notice of the meetings of the trustees two succeeding Sabbaths previous.
- Stated meetings.** VIII. The stated meetings of the trustees, for the transaction of the business of said church, shall be held quarterly, on the first Monday of the months of January, April, July and October, of each and every year.
- Meetings of trustees.** IX. The president, at the request of two trustees, shall have power to call a meeting of the said trustees, and five trustees, including the chairman for the time being, shall be a quorum for the transaction of business in special meetings; but in the regular stated meetings of the board, three trustees, including the chairman for the time being, shall constitute a quorum.
- Property, in whom and how vested.** X. All the estate of the said church, whether real, personal or mixed, shall immediately be vested in the said trustees and their successors, forever, in trust for the society of the Somerton Methodist Episcopal church, in the Twenty-third ward of the city of Philadelphia: *Provided*, The trustees shall not be empowered to purchase or sell any real estate, without the previous consent of the corporation.
- Proviso.** XI. All meetings of the corporation shall be announced from the pulpit on two succeeding Sabbaths previous to said meeting, and ten members, qualified to vote, shall constitute a quorum; but no purchase or sale of real estate shall be made, except by the consent of a majority of the members so qualified.
- Notices of meetings.** XII. The rents, issues, profits and interests of the said real and personal estate of and belonging to said church and congregation, and their successors, shall, from time to time, be applied and laid out for repairing and maintaining the said church and place of public worship, lot or lots of land, burial ground, parsonage house, or other houses and buildings, which
- No purchase or sale to be made without consent of members.**
- Rents, profits, &c., how applied.**

now do or at any time hereafter may or shall belong to the said church and corporation, as shall, from time to time, be thought proper and expedient by two-thirds of the trustees for the time being: *Provided always*, That nothing contained in this or any other article or section of this association shall be so construed as to prevent the stewards of said church from discharging the duties required of them by the discipline of the Methodist Episcopal church.

XIII. Nothing herein contained shall hereafter, in any way whatever, be construed so as to deprive the minister or preacher, who may be appointed from time to time, to officiate in said church in conformity to the rules of the general conference of the Methodist Episcopal church, of the spiritual use and privilege of said church in Somerton, or of any other house or houses for public worship that may hereafter belong to the said church and corporation. Privileges of minister.

XIV. There shall be no alteration of or amendment to the provisions of this act, without the consent of two-thirds of the male members of said church qualified to vote for trustees. Amendments, how made.

XV. That each and every of said provisions are to be regarded as operative and effective in law, according to their true intent and meaning, anything contained in any former articles of association, under the same denomination or title, to the contrary notwithstanding. Former articles of association rescinded.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 297.

## AN ACT

Supplemental to an act to incorporate the Logansville Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That an act, entitled "An Act incorporating the Logansville water company," passed and approved the first day of February, eighteen hundred and sixty, upon the payment, by the commissioners therein named, of the enrolment tax, be and the same is hereby declared to be in full force and virtue from the date

of its passage, notwithstanding the non-payment heretofore of the said enrolment tax; and that all the acts done by the commissioners and the company organized under said act, are hereby declared to be valid and effectual to all intents as if the enrolment tax upon the said act had been duly paid within the period prescribed by law: *Provided*, That said enrolment tax shall be paid within three weeks from the passage of this act.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 298.

## A N A C T

To incorporate the Farmers' and Mechanics' Mutual Fire Insurance Company of Nittany and Sugar valleys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Henry Beek, A. C. Gearey, Gideon Dornblazer, John Miller, John Zeigler, D. D. M'Kain, John Swartz, J. B. Schaeffer, George Swartz, John Divons, William Powell, Jacob Garberich, A. Carner, Levi Candy, John Teatz, William Garberich and Henry M'Ewen, all of Centre and Clinton counties, are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company to be called and known by the name and title of the Farmers' and Mechanics' mutual fire insurance company of Nittany and Sugar valleys, to be located in Centre and Clinton counties, and within the bounds of Lamar, Porter, Green and Logan townships, in Clinton county, and Walker, Marion, Spring, Benner and Halfmoon townships, in Centre county; which said company, when application shall have been made to said commissioners for insurance to the amount of at least one hundred thousand dollars, shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, and shall have

the right to transact its business upon the mutual principle exclusively.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 299.

# AN ACT

To provide for the Payment of James M'Kean and Marmaduke Rambo.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to James M'Kean and Marmaduke Rambo the sum of four hundred and fifty dollars, the amount found due them as reported by the auditor general, state treasurer and attorney general.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 300.

# A FURTHER SUPPLEMENT

To the act, entitled "An Act authorizing the Governor to incorporate the Shamokin Steam Ferry and Tow Boat Company," approved April third, one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Prohibition as to transporting persons or stock over the Susquehanna river at Sunbury** from and after the passage of this act, it shall not be lawful for any person or persons whomsoever, to keep, loan or use any bateau, canoe, boat, flat or other craft, for transporting any person or persons, horses, mules or cattle, carriages, buggies or other vehicles, or for towing any canal boat, ark, flat or other vessel, laded or unladed, for pay, hire or reward, over the river Susquehanna, from or to the borough of Sunbury, in the county of Northumberland, besides the lessee or lessees of the Sunbury ferry heretofore established, and the said Shamokin Steam Ferry and Tow Boat company, under the penalty of fifty dollars, current money of this commonwealth, to be recovered before any court of record or justice of the peace of this commonwealth, the one-half thereof to be paid to the informer or prosecutor who shall sue for the same, and the other half to be paid to the treasurer of the borough of Sunbury, for the use of said borough.

**Exception.**

**Penalty.**

**Pushing or towing canal boats, arks, &c., at same point prohibited.**

**Exception.**

**Penalty.**

**Imprisonment.**

**Repeal.**

**SECTION 2.** That any person or persons pushing, rowing or towing any canal boat, ark, flat or other vessel, laded or unladed, (unless he or they are regularly employed upon said canal boat, ark, flat or other vessel,) for pay, hire, gift or reward, over the river Susquehanna, opposite the said borough of Sunbury, from or to said borough, except the lessee or lessees of said Sunbury ferry, or the said Shamokin Steam Ferry and Tow Boat company, shall each, upon conviction thereof, forfeit and pay the penalty of twenty dollars, lawful money of this commonwealth, for each and every such offence, to be recovered before any court of record or justice of the peace of this commonwealth, the one half thereof to be paid to the informer or prosecutor who shall sue for the same, and the other half to be paid to the treasurer of the borough of Sunbury, for the use of said borough.

**SECTION 3.** That if any person or persons, violating any of the provisions of this act, shall fail, upon conviction thereof, to pay the penalty or penalties hereinbefore mentioned, together with the necessary costs, or give bail to pay the same within ten days, he, she or they shall each undergo an imprisonment in the county jail of the county wherein he, she or they were convicted, for a period of thirty days.

**SECTION 4.** That all acts or parts of acts of general assembly of this commonwealth heretofore passed, which conflict or are inconsistent with the provisions of this act, be and the same are hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 301.

## A N A C T

To provide for the organization of a Grey Battalion and Regiment in Carbon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the brigadier general or the brigade inspector of the brigade composed of the county of Carbon, to inspect, approve and organize the Anderson Greys, and such other companies in said brigade having the same uniform, or a uniform so nearly similar as to meet the approval of the said inspecting officer, notwithstanding the said uniform shall not conform to the regulations of the United States army, upon the presentation to either of said officers of the roll of said companies, composed of not less thirty-two rank and file for inspection, approval and organization as aforesaid. Organization.

SECTION 2. That the said company or companies, when organized, shall be attached to the Carbon county brigade of uniformed militia, and shall be entitled to all the privileges and subject to all the duties thereof, except that until a sufficient number of companies to form a battalion or regiment similarly uniformed shall be organized, they shall not be required to attend battalion or regimental parades; but in lieu thereof, the said companies shall be annually inspected by the brigadier general or brigade inspector of the brigade, at a company parade, of which one of said officers shall be notified by the commanding officers of such companies. Privileges and duties of companies.

SECTION 3. That when the number required by law of such similarly uniformed companies shall be organized in the said brigade, they shall be formed into a separate battalion or regiment, and shall elect such field officers as the regiment or battalion shall be entitled to, in the manner and at the time prescribed by law for the election of such officers. When to be formed into a regiment.

SECTION 4. That the adjutant general shall furnish, upon the requisition of the brigadier general or brigade inspector of said brigade, such arms and equipments as may be required by said company or companies: *Provided,* That such companies shall comply with the eighth section of the act regulating the militia of this commonwealth, providing for the issuing and safe keeping of arms. Arms and equipments. Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 302.

## A N A C T

To authorize Daniel Zug and Daniel Royer, Trustees, to sell a certain Meeting House and Lot, or Burial Ground, in Mill Creek township, Lebanon county.

## Preamble.

WHEREAS, Isaac Gible and Sarah, his wife, by indenture, bearing date the sixth day of May, Anno Domini one thousand eight hundred and fifty, did grant and confirm unto Daniel Zug and Daniel Royer, their successors and assigns, a certain lot of ground, situate in Mill Creek township, Lebanon county, adjoining lands of said Isaac Gible, Samuel and Michael Becker, and Michael Becker, A. S., on the north side of the public road leading from Newmanstown to Shaefferstown, containing fifty-one perches of land, on which a brick meeting house has been erected, mostly by the contributions of people living in the vicinity thereof, in trust and for the use of the Old Brotherly society belonging to the Conestoga family, or congregation, with the right of all others to bury their dead, who shall have died a natural death, on the lot, or burial ground, thereunto belonging; which meeting house and lot, or burial ground, was, by said indenture, to be under the orders, restrictions and regulations of the said German Baptist Brotherly society of the Conestoga family, or congregation :

*And whereas,* The said grant was made through mistake, and the said congregation a misnomer, as the said congregation is entirely within the county of Lancaster; and the said meeting house and lot being intended for the German Baptists, who call themselves the Old Brothers, and for the community in general :

*And whereas,* The said society of the Conestoga family, or congregation, do not claim or wish to hold or control the said meeting house and lot, or burial ground, thereunto belonging, as the same was never intended for them; but desire, with those for whose use the same had been intended, that the said premises be disposed of so as not to injure or defraud the original contributors thereto, or interfere with the rights of others; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Sale authorized. the said Daniel Zug and Daniel Royer, the trustees of the said meeting house and lot, or burial ground, or the survivor of them, be and they are hereby authorized and empowered to sell the said brick meeting house and lot, or burial ground, at public vendue, within three months from the passage of this act, to the highest bidder, after having first given four weeks public notice of the time and place of sale, in two newspapers, one English and one German, of the borough of Lebanon, and to execute and deliver a deed to the purchaser or purchasers

Notice.

thereof, under the conditions that the said purchaser or purchasers shall, as soon as convenient, grant, bargain, sell and convey the same unto Isaac Gible and Seth Royer, of said Mill Creek township, their successors and assigns, forever, for such sum as shall be agreed upon, in trust for a meeting house, to be called the Millbach meeting house, for the use of the neighborhood, to be under the sole control and management of the said trustees: *Provided*, That in case the said Daniel Zug and Daniel Royer, or the survivor of them, should neglect or refuse to carry out the intentions of this act, it shall be lawful for the said Isaac Gible and Seth Royer to designate a person, whose duty it shall be to do the same, as fully as the said Daniel Zug and Daniel Royer, as trustees, might have done.

Conditions.

Provided.

SECTION 2. That the said German Baptists, who call themselves the Old Brothers, and those who shall worship with them, shall be permitted to hold their regular stated meetings in the said meeting house, at such times as may be agreed upon between them and the said trustees. The said trustees shall remain such during life; and in case of the death or resignation, or removal from the county of either or both of said trustees, or their successors, then the persons who shall have assisted the said trustees in repairing said meeting house and burial ground, or paid towards the purchase or repairs thereof, shall elect a new trustee or trustees, who must belong to the said German Baptist society, known as Old Brothers, to supply said vacancies forever.

Privileges granted to Old Brothers.

Trustees.

SECTION 3. That the burial ground belonging to said meeting house, and that may hereafter be acquired to the same, shall be under the following regulations, viz: That any person shall be allowed to bury their dead therein, no matter to what society they belong, without hindrance or molestation, and to have the funeral services performed in the said meeting house, by such person or persons as the friends of the deceased may deem proper.

Regulations relative to burial ground.

SECTION 4. That the said trustees for the sale of said meeting house and lot, or burial ground, shall settle their account in the court of common pleas of Lebanon county, within six months after the sale; and after paying the expenses of the sale and conveyance, shall distribute the surplus, in *pro rata* shares, among the original contributors to the purchase of said lot and building said meeting house, whether the same was made in work or money, or its equivalent, according to the amount paid; and should the sale amount to more than the original cost, the surplus above the original cost, as well as all money now in the hands of the trustees, shall be paid over to said Isaac Gible and Seth Royer, to be used in repairing the said premises.

Settlement of trustees' account

Surplus, how divided.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*  
ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 303.

## A N A C T

Relating to the Courts of the county of Delaware.

Certain acts of assembly relating to writs and judgments in Philadelphia, extended to Delaware county.

Proviso.

Proviso.

Repeal.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several acts of assembly of this commonwealth fixing monthly return days for writs issuing out of the district court of the city and county of Philadelphia, and authorizing the rendering of judgments in actions commenced therein, for want of affidavits of defence to the same, be and the same are hereby extended and applied to such writs issuing out of, and such actions commenced in the court of common pleas of the county of Delaware, with the same force and effect as if the said court of common pleas had been named in the said acts of assembly, as well as the said district court: *Provided,* That in all cases in which any person shall be entitled to judgment by default, by virtue of the provisions of the said acts, at a time when the said court of common pleas shall not be in session, the prothonotary of the said court shall have power to enter judgment, and to assess the damages, or ascertain the amount, as in cases of foreign attachment, subject to all the powers of opening, setting aside and staying execution thereon, which the judges of the said court, or any of them, have in relation to other judgments entered therein: *And provided,* That the return days of the said court of common pleas shall be the fourth instead of the first Mondays of every month.

SECTION 2. That the act of assembly of this commonwealth, entitled "An Act altering the return days of writs of venire for the trial of issues of fact in Delaware county," passed March twenty-seventh, Anno Domini one thousand eight hundred and forty-five, be and the same is hereby repealed: *Provided,* That such repeal shall not be operative until the first Monday in June, Anno Domini one thousand eight hundred and sixty-one.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 304.

## AN ACT

To allow the Sheriff of Fayette county a fair compensation for trouble and expense of attempting to re-capture escaped prisoners and convicts.

WHEREAS, The jail of the county of Fayette is so weak and insecure as to be altogether unfit for the detention of prisoners and convicts, as evidenced by the reports of several grand juries, and by the frequent escape of persons confined therein:

And whereas, In consequence thereof, the sheriff of said county has been put to considerable trouble and expense in having guards and in attempting to re-capture such escaped persons; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sheriff of said county be allowed a reasonable and fair compensation for the expense and trouble heretofore incurred or hereafter to be incurred by him in hiring guards and in attempts to re-capture escaped prisoners and convicts; the amount of such compensation in each case to be fixed by the court of quarter sessions of said county, and to be paid out of the county funds, through an order upon the county treasurer, drawn by the commissioners of the county, who are hereby required to draw such order upon the request of the sheriff, accompanied with a certificate of the clerk of said court of the due allowance by said court of the claim.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 305.

## AN ACT

For the relief of the bondholders of the Susquehanna Canal Company.

The Susquehanna canal company having met with several Preamble. losses by reason of the breach of the dam at Columbia, and from other causes, is unable to pay the interest upon their debts, in

order to secure the same in their order of priority, the said company executed, on the twenty-third of November, Anno Domini eighteen hundred and fifty-nine, a mortgage or deed of trust for that purpose, in pursuance of the terms thereof, and in exercise of their legal rights, measures may be taken by the holders of bonds of said company to procure the sale of said canal, for the payment of obligations due them and in arrear; and inasmuch as the sale thereof would be most injurious, as well to the state of Maryland, which has extended liberal aid to said public improvement, and also to the stock and bondholders thereof, such sale and sacrifice may be averted, by judicious arrangements for the re-organization of said company, if legislative authority for such purpose be duly obtained; therefore,

Managers may  
issue preferred  
stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the managers of the Susquehanna canal company to create and issue, in such manner, on such terms, to such amount and with such priority and privileges as they may determine, a preferred stock of the said corporation, to be used and applied as they may deem expedient for the purposes of this act.

New coupon or  
transferable  
bonds to be is-  
sued to holders.

SECTION 2. That it shall and may be lawful for the managers of said Susquehanna canal company to accept and receive from each and all the holders of the coupon bonds of said company the bonds and coupons held by them respectively, and to issue and deliver to such holders of coupon bonds either new coupon bonds or new bonds, transferable on the books of said company, as the board of managers may determine, to the amount of one-half of the principal and interest of the said bonds so surrendered, and to deliver to such parties respectively, to the amount of the remaining one-half of said bonds and interest, shares of the said preferred stock at par.

Amount of.

One-half in  
shares of pre-  
ferred stock.

New bonds en-  
titled to same  
securities, &c.

SECTION 3. That said new coupon bonds or transferable loan so to be issued shall be entitled to all the rights and all the securities by way of mortgage or otherwise, which were held or enjoyed by the bonds, for and in lieu of which it had been issued, and to the privileges conferred by this act.

Votes.

SECTION 4. That each and all of the holders of coupon bonds of the Susquehanna canal company, now outstanding, or the holders of coupon bonds or transferable loan, authorized to be issued under and in pursuance of this act, be and they are hereby authorized to vote at all elections and corporate meetings of said company, one vote for each fifty dollars of the principal of such debt; and each stockholder of said company shall be entitled to one vote for each share thereof held by him or them respectively.

Meeting, notice  
and object of.

SECTION 5. That it shall be the duty of the board of managers of the said company to call a meeting, in the city of Philadelphia, of the stock and bondholders thereof, and to give notice of the time and place of holding such meeting, by publication in two newspapers in the city of Philadelphia, and in one in the city of Baltimore, twice in a week for three weeks, to take into consideration the acceptance or rejection of this act, if at the said meeting the said act shall be, by the said stock and bond-

holders voting as aforesaid, accepted, then it shall be the further duty of the board of managers, by the like publication, to give notice of such acceptance thereof; and all coupon bondholders of said company who shall not, within thirty days after the last publication of said notice in the city of Philadelphia, give notice in writing to said company, specifying the number and amount of the bonds held by them respectively, that he or they do dissent from the acceptance of this act, then each and all of said bondholders, not so dissenting, shall be held and regarded to have assented to and accepted this act, with the like effect as though such acceptance and dissent had been evidenced in writing, and with like effect as if such holder had duly surrendered the said bonds and coupons, and had accepted the said new bonds or transferable loan and stock as aforesaid; and it shall then be the duty of the said board of managers to execute and set apart, for each and all said bondholders, the coupon bonds or transferable loan and stock to which he or they would be respectively entitled: *Provided however*, That any holder of said bonds against the said company who shall assent to the provisions of this act, shall, as against the non-assenting holders of said bonds, notwithstanding the said surrender of their said bonds and the acceptance of the new coupon bonds or certificates of loan in lieu thereof, continue to be entitled to all the rights, privileges and securities now belonging to them, as fully as if such exchange had not been made, and as fully as any non-assenting bondholder are, can or may be.

Publication of acceptance.

Notice of bondholders dissenting to be given within thirty days.

Effect of failure to give notice.

Duty of board of managers.

Proviso.

SECTION 6. That the indenture executed by said company on the twenty-third November, Anno Domini eighteen hundred and fifty-nine, to secure the several creditors therein named, be and the same is ratified and confirmed; and the said company may continue in the possession and management of said premises without liability to sequestration, and without prejudice to the security or the rights of the several creditors thereof, according to their respective priorities; and that such possession shall be held as valid and effectual as if the same had been surrendered and delivered to the trustees in the said indenture named, subject to all the rights and for the benefit of all the creditors, according to their respective rights and priorities; and it shall be lawful for the managers of the said company to use any of their tolls and profits in the payment or purchase of any of the debts due by them, or to a sinking fund, as they may deem expedient for the best interests of the company and the ultimate security of the creditors and stockholders thereof.

Certain indenture confirmed.

May continue in possession.

Subject to.

Managers authorized to use profits in payment of debts.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 306.

## SUPPLEMENT

To an act to Protect Fruit, et cetera, and Punish Trespass in the counties of Huntingdon, Washington, Allegheny, Berks, Lancaster, Lycoming and Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act to protect fruit, et cetera, and punish trespass in the counties of Huntingdon, Washington, Allegheny, Berks, Lancaster, Lycoming and Delaware, approved March thirteenth, Anno Domini one thousand eight hundred and sixty, be and they are hereby extended to the several counties of this commonwealth.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 307.

## A SUPPLEMENT

To an act authorizing the Governor to incorporate a Company for Erecting a Permanent Bridge over the river Schuylkill, at Matson's Ford, in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president, managers and company of the Schuylkill bridge, at Matson's Ford, be and they are hereby authorized and empowered to regulate the time that persons may pass over said bridge, free of toll, in going to or returning from places of public worship; also the mode of passing over said bridge in such manner as to prevent injury thereto, or interruptions or annoyance to those passing the same, and generally to make and ordain such by-laws, rules and regulations, not contrary to the constitution and laws of this commonwealth, as shall be considered neces-

ary for the orderly collection of the tolls, and for the government, convenience and preservation of said bridge, its affairs and appurtenances, and for the comfort and safety of passengers on and over the same; and all breaches of such by-laws, rules and regulations, shall be subject to the like penalty and penalties prescribed for the offences enumerated in the act to which this is a supplement, to be sued for and recovered in like manner with the penalties mentioned in the said act, and the offender or offenders to remain liable to an action or actions, at the suit of said president, managers and company, as set forth in said act in regard to penalties therein prescribed; and said president, managers and company may increase the toll to be demanded and received for any carriage of burthen crossing said bridge, when the driver takes off a part of the team, in order to evade the payment of the regular toll, to an amount not exceeding double the rates mentioned in the act to which this is a supplement, and may also determine the rate of toll for carriages of burthen or pleasure not enumerated in said act; the tolls on such carriages, however, in no case to exceed the rates mentioned in said act; and it shall be lawful for said president, managers and company to demand and receive lower rates of toll than those specified in said act, and to regulate the same in such manner as they may deem expedient for the best interest of the company.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 308.

## AN ACT

To Prevent the Running at Large of Goats, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be unlawful for goats to run at large within the limits of the county of Schuylkill, unless they be hopped in such a manner as to render them unable to leap any board, rail or other fence of a height of four feet. Running at large of goats prohibited.

SECTION 2. If any goat or goats shall be found at large, contrary to the provisions of the first section of this act, it shall

be the duty of any justice of the peace of any township, ward or borough of said county, upon complaint, under oath, being made before him, to direct any constable of said county to seize said goat or goats so found, and to cause public notice of such seizure to be given in the district where the same may have occurred; and the owner or owners of said goat or goats shall recover the same only by the payment of a fine of one dollar for each and every goat so seized; said fine to be for the use of the party entering the complaint and the cost of the proceedings.

Sale of goats.

SECTION 3. If on the expiration of five days after proper notice of any seizure shall have been given, the goat or goats so seized shall not be claimed and redeemed by the owner or owners thereof, in accordance with the provisions of section second of this act, it shall be lawful for the constable holding such goat or goats to sell the same, at public sale or outcry, and the highest and best bidder shall become the purchaser. The proceeds of said sale, after payment of the fine and costs as herein provided, shall be for the use of the poor of the district in which such seizure was made.

Proceeds, how applied.

Damages.

SECTION 4. If any goat or goats shall enter upon the premises of any of the inhabitants of Schuylkill county, and there commit any damage, it shall be lawful for the party injured to institute a suit for damages before any justice of the peace; and the goat or goats causing such damage shall, at the election of the plaintiff in the action, be liable to levy and sale, under execution, in said suit, and may not be exempted from such levy and sale by virtue of any law of this commonwealth in force at the time of the passage of this act.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 309.

# AN ACT

To secure to Farmers certain rights in the Markets of the city of Philadelphia.

WHEREAS, The authorities of the city of Philadelphia having the renting of the stalls and stands in the public market houses of the said city, have recently assumed to restrict farmers from

selling upon said stalls any meat except that of animals fed or fattened on their farms, and to exercise the right of denying to farmers who have previously been the occupants of particular stalls any preference over other applicants in re-letting the same, thereby depriving them of the custom they have established at their respective stands; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any farmer, or person whose principal occupation is that of a farmer, being the lessee or occupant of a stall in any of the public market houses of the city of Philadelphia, or the occupant of a stand in any of the public streets of the said city, which may now or hereafter be made stands for market wagons, may lawfully sell at such stall or stand, in any quantity, any meat of a marketable quality slaughtered on his farm, without regard to whether the same be produced or fattened on his farm or elsewhere; and any such farmer who may now be, or hereafter become the lessee of any stall or stand, in any of the public market houses of the said city, shall be entitled to become the lessee of such stall or stand from year to year, and to continue to occupy the same in preference to any other person, so long as he may pay within the proper time the legal rent therefor, and comply with all proper rules and regulations for the government of said market houses; any act of assembly, ordinance of the city councils, or requirement of the market department of the said city, to the contrary notwithstanding.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 310.

## A N A C T

To incorporate the Conestoga and Big Spring Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Doctor Henry Carpenter, Patrick Kelly, George K. Reed, of the Commissioners. city of Lancaster, Harris Boardman, S. P. Spencer, of Lancas-



	ter township, John Eshleman, (miller,) John B. Kreiter and Henry K. Stoner, of West Lampeter township, and all in Lancaster county, are hereby appointed commissioners to open
Style.	books, receive subscriptions and organize a company, by the name, style and title of the Conestoga and Big Spring Valley
Route.	turnpike road company, with power to construct a turnpike road from the intersection of the Strasburg road, or Rockland street, with Vine street, in the city of Lancaster, to the branch road of the Willow Street turnpike company, at the Long lane, in Big Spring valley, West Lampeter township, Lancaster county, and at or near the residence of Christian Kohrer, by the following route: From Vine street, along and upon Rockland street, to the Conestoga creek, near Spencer and Boardman's cotton factory, with the right, between those points, to deviate from the present road and occupy other adjacent ground with the new one, wherever deemed necessary or expedient, and to use the present bridge over Conestoga creek, or cross the creek near it and erect a new bridge; from Conestoga creek to pursue the most eligible route, with respect to grade and direction, to Mill creek, which may be intersected at any chosen point, by the board of directors of the company, at or from the county bridge, near Stoner's, to between it and the grist mill of John Eshleman, on that stream; and to the end in view, the public roads leading to the selected junction may be used or avoided, wholly or in part, and other ground appropriated in lieu thereof, with the county bridge, near Stoner's, as may be determined at the location of the line from Mill creek to follow the most eligible course, in the aforesaid particulars, to the termination of the road, with power to locate the line on the public road now connecting the points, entirely or partially, or on other ground in the vicinity, as may be decided at the time; the parts of any of the old or present roads that the turnpike road may supersede and render useless for public accommodation, shall be deemed and adjudged vacated; and where they adjoin property set apart and used for the turnpike, shall be appraised separately by the persons legally appointed to value such property, and at the same time, and the valuation money thereof shall be received by the owner or owners of such premises on account of any damages awarded therefor; thereupon such owner or owners shall possess, in fee simple, the said vacated ground, so far as his or their premises adjoins the same, subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.
Privileges.	
Damages.	
Subject to.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of six hundred and forty shares, at twenty-five dollars per share: <i>Provided</i> , That said company may from time to time, by a vote of the majority of the stockholders, at a meeting called for that purpose, increase the capital stock so much as may be necessary, in their opinion, to carry out the true intent and meaning of this act.
Proviso.	
Vacation of certain road.	SECTION 3. That whenever said company shall have finished their road from its aforesaid beginning to Conestoga creek, the road westward of, and nearly parallel with Rockland street,

branching from and intersecting the same between those points, shall be deemed and adjudged vacated, and the bed or soil thereof shall vest in the adjoining landholders equally; and the company shall have power to erect a gate or gates, and receive tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of the said act relating to turnpike and plank road companies, and shall have the like privileges, on the same conditions, on the completion of their road to Mill creek, or across the same.

Power to receive tolls.

Completion of road to Mill creek.

SECTION 4. That if said company shall not commence the construction of their road within two years, and complete the same from its beginning to Conestoga creek, in three years from the passage of this act, the same shall be null and void; and if finished within the time to Conestoga creek, and not thence to Mill creek, within five years from the passage of the act, it shall be void as to the route between the Conestoga and the termination; and if finished to Mill creek within the period prescribed, the act as to the remainder of the route, shall be null and void, if the said remainder should not be completed within eight years from the passage of this act, except in either event so far as the same may be necessary to settle up the affairs and pay the debts of the company.

Limitations and conditions of construction.

SECTION 5. That all of the act yet existing, entitled "An Act to incorporate the Conestoga and Beaver Valley turnpike road company," approved March twenty-seventh, one thousand eight hundred and fifty-five, and its subsequent supplements, be and the same are hereby repealed.

Repeal.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 311.

## AN ACT

To vacate a State Road in Clinton county, between Lamar and Allison townships.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state road from George Brumgart's farm, in Lamar township, Clinton county, to Bald Eagle creek, in Allison township,*

## LAWS OF PENNSYLVANIA,

is hereby vacated, and all laws authorizing the location and opening of the said road from the farm of said Brumgart to Bald Eagle are hereby repealed.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 312.

## AN ACT

For the relief of William Griffith, a Soldier of the Indian Wars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay William Griffith, of Drumore township, Lancaster county, a soldier of the Indian wars, or to his order, a gratuity of forty dollars, and an annuity of forty dollars, during the term of his natural life, commencing on the first day of January, one thousand eight hundred and sixty-one, and payable half yearly thereafter, on the first days of January and July.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 313.

## A SUPPLEMENT

To an act directing the manner of Serving Writs of Summons in certain cases in the county of Mercer, approved the tenth day of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all and singular the provisions of an act directing the manner of serving writs of summons, in certain cases, in the county of Mercer, approved the tenth day of April, one thousand eight hundred and forty-nine, be and the same are hereby extended to railroad and canal companies doing business in the said county; and that the service of any writ of summons upon any clerk, agent, superintendent or manager, of any of the said railroad or canal companies, in the manner provided for in the said act, shall be held and deemed a good and valid service upon the said company.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 314.

## AN ACT

For the preservation of Fish in Middle Fork of Ten Mile creek, in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* for the period of five years from the passage of this act, it shall not be lawful for any person or persons to take or catch fish with seine or scoop nets in the waters of Middle Fork of Ten Mile creek, from the head of the same to mill dam of Stephen Ullery, on said creek, under penalty of ten dollars; one-half

thereof to go to the informant, and the other to the school of the district in which the offence is committed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domin one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 315.

## AN ACT

To incorporate the Tidioute Bridge Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> Joseph Green, Carlton B. Curtis, William S. Cohell, Jonathan Linz and William H. Scott, of Warren county, be and they are hereby created commissioners authorized to receive subscriptions to the capital stock hereby created, at such times and places as a majority of them may direct, on giving such notice of the time and place as they may deem proper, when and where the subscriptions will be received; and at the time of subscribing for said stock, such sum as may be agreed upon before subscribing for such stock, shall be paid to the commissioners, or some one of them; which money shall be paid over to the treasurer of said company, as soon as one is appointed; and the residue of said subscriptions shall be paid in such instalments, and at such times and places, and to such persons as the president and managers of the company may direct.
Subscriptions.	
Incorporation.	SECTION 2. When one hundred shares are subscribed, the persons holding the same are hereby created and incorporated into a company, by the name and title of the Tidioute bridge company, and by that name those who have subscribed, and those that may hereafter subscribe, shall have perpetual succession, with all privileges and franchises incident to a corporation, and shall be capable of taking and holding their capital stock and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to build the bridge, or fulfil the intent of this act, and of purchasing and holding, to them and their successors,
Name.	
Privileges.	
May purchase lands.	

lands upon which to construct said bridge, to be ascertained and located by said commissioners, or a majority of them, at some point on the river Allegheny, between the head of the Richardson island and the head of the M'Guire island, so called, in said river, at or near the village of Tidioute; also all tenements, hereditaments and estate, in fee simple, or any real or personal estate, as shall be necessary and convenient to them in the prosecution of their works, and the same to sell and dispose of at their pleasure, and of suing and being sued, pleading and being impleaded in all courts of justice.

SECTION 3. That the capital stock of said company shall not exceed the sum of thirty thousand dollars, and shall be divided into shares of fifty dollars for each share; and the subscribers to said capital stock shall pay the sum or sums of money for the shares by them held respectively, or by them subscribed, at such period and in such instalments as the directors of said company may order or determine.

SECTION 4. As soon as one hundred shares of the said capital stock shall be subscribed, it shall be the duty of the commissioners to give such notice as they may deem reasonable, of a meeting of the stockholders, who shall, on meeting, proceed to organize the said company, and shall choose by ballot or otherwise, in person or by proxy, one president, five directors, three of whom shall be a quorum, one treasurer and secretary, and such other officers as they shall deem necessary to conduct the business of said company, until other officers shall be appointed; and the said president and directors shall make such by-laws and regulations for the government of said company as they shall think necessary and proper, consistent with the constitution and laws of this commonwealth, for the well ordering of the affairs of said company; and the stockholders shall meet on the last Saturday in December hereafter, in each and every year, at such place as shall be fixed upon by the president and directors, for the purpose of electing officers for the ensuing year, and each stockholder shall be entitled to one vote for each share held by him or her, at the time of such election, if the number shall not exceed five, and one vote for every three shares above five and not exceeding eleven, and one vote for every five shares above eleven, until the number of votes amount to fifteen; and that no person shall be entitled to more votes than fifteen.

SECTION 5. The president and directors or commissioners shall issue certificates of stock to the several stockholders, signed by the president and countersigned by the treasurer of the company, which certificates shall be transferable at the pleasure of the holder in person or by attorney, subject to the payment of any balance that may be due thereon; and the assignee holding such certificate, having caused the assignment to be entered in a book of the company, to be kept by the treasurer for that purpose, shall be entitled to his or her just proportion of the capital stock, and of all the estate and emoluments of the company, in proportion to the number of shares by them held, and to vote at the meetings thereof as aforesaid; and the president and directors shall meet at such times and places as shall be agreed upon, for the transaction of the business of the company; at such meetings three members shall form a quorum for the transaction of

Capital stock.

Duty of commissioners.

Organisation.

By-laws.

Meeting of stockholders.

Votes.

Certificates of stock.

Transfers.

Duties and powers of directors.

all business; they shall keep the minutes of all the transactions entered in a book to be by them provided for that purpose, and shall have authority to agree with and appoint engineers, artists, superintendents and agents, as they shall think necessary to construct a bridge across the river Allegheny, at or near the village of Tidioute, in the county of Warren, and to complete the same, and fix the salaries and determine the time the stockholders shall pay their instalments due on their respective shares; in default of such payment, full power is hereby granted to said corporation to sue for and recover the same in any court of this state having jurisdiction thereof, or may declare such stock and all payments thereon forfeited to and for the use of said corporation, at their discretion, and may draw orders on the treasurer for money, the same to be signed by the president and attested by the secretary, and to do and transact all things by this act and the by-laws and regulations of the company that may be lawful.

May enter on  
lands.

SECTION 6. It shall be lawful for the president and directors, their superintendents, engineers and workmen, to enter on lands and enclosures near the place where the bridge is to be built, and to cut and carry off any timber, or dig gravel, quarry stone or gather sand, necessary for building said bridge and fixtures; also to enter thereon with wagons, carts, sleds, sleighs or beasts of burden or draft, and to take and carry off any material necessary in the construction of said bridge, doing as little damage as possible, and making amends for any damage that may be done; which damage, if the parties cannot agree, shall be submitted to the decision of three disinterested freeholders, chosen by the parties; and if the parties cannot agree upon the men, or if either party, on due notice, shall neglect or refuse to join in the choice, the said freeholders shall, on application, be appointed by any justice of the peace within the county, not interested, who, after being sworn or affirmed, shall assess or appraise damages, and make report thereof to the justice of the peace who appointed them; and the said directors, or other persons by them employed, after the payment of the appraised value to the owner, or give adequate security therefor, may enter, chop, dig, quarry and carry off any material necessary in the building or repairing said bridge.

Damages.

Accounts.

SECTION 7. The president and directors of said company shall keep just and fair accounts of all the moneys received by them, in any way, under the provisions of this act, and also all moneys by them expended, and all voluntary contributions to said company, and shall, at least once a year, or whenever called on, submit their accounts to the inspection of any or all the stockholders.

Tolls.

SECTION 8. When a good and complete bridge is erected over the said river Allegheny, at the place aforesaid, the company, their successors or assigns, may demand and receive toll from travelers and others crossing the same, at such rates as the president and directors shall, from time to time, determine: *Provided*, They shall cause to be put up and kept up, in some conspicuous place at the gates of said bridge, a list of the rates of toll: *And provided*, That the bridge shall be so constructed

Proviso.

Proviso.

as not to injure or obstruct the navigation of said river Allegheny.

SECTION 9. That if any person shall wilfully cut, destroy or break, or remove from said bridge, or any part thereof, any piece of timber, plank, stone, chain, bolt or any material whatsoever belonging to said bridge, or otherwise wilfully or maliciously damage the same, he, she or they so offending shall forfeit and pay, for every such offence, over and above the damages done to said bridge, the sum of twenty dollars, to be recovered, with costs, in any court having jurisdiction thereof, and be imprisoned in the county jail not less than three nor more than twelve months, at the discretion of the court.

Penalties for damages to bridge.

SECTION 10. That it shall be lawful for the president and directors aforesaid, to cause the toll collector or collectors, or watchman or watchmen of said bridge, to take and subscribe on oath or affirmation, before a competent officer of said county, to administer the same, that he or they will faithfully conduct themselves in their respective stations, and honestly account to the treasurer of the company all the money collected by him or them, and diligently attend to the discharge of his or their duty, by watching with vigilance over the interest of the company and safety of the bridge, and generally to execute with care and fidelity whatever lawful engagement he or they may enter into with the president and directors of said company's bridge.

Oaths to be administered to collector and watchman.

SECTION 11. That the president and managers or directors, shall keep a just and true account of all moneys received as toll for crossing said bridge, or otherwise, and shall make and declare a dividend of the profits and income, after deducting costs, charges and expenses, and shall, on the first Monday of May and November of every year, publish the dividend, to be of the clear profits thereof, amongst the stockholders, of the time and place when and where the same shall be paid, and shall cause it to be paid accordingly: *Provided*, That it shall be lawful for the said president and directors, in making and declaring any dividends, to reserve such sum or proportion of the clear semi-annual income, not exceeding one per cent. on the capital stock, as they may think proper, to form a contingent fund for the purpose of repairing and re-building said bridge, in case of decay or injury, and the same to invest in such security or in such stock as they shall deem safe and productive, and the interest arising therefrom again to invest, and the same stock to sell or transfer at any time when the funds may be required, or disposed of to the advantage of said company.

Dividends. *Proviso.*

SECTION 12. That in case any person or persons having crossed said bridge, wilfully neglect or refuse to pay such tolls, such person or persons shall thereby forfeit treble the amount of such tolls to said company, who shall be entitled to summary process to enforce the same of any property he or they may have in possession; any agent or officer of said company may demand such process of any justice of the peace having jurisdiction of such amount, and such justice of the peace shall issue the same to any sheriff, under-sheriff or deputy, or to any constable, commanding them forthwith to arrest such person or persons, and

Penalty for refusing to pay toll



collect the same, together with such costs as may be reasonable.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

### No. 316.

#### A FURTHER SUPPLEMENT

To an act authorizing the citizens of the borough of Mercer to erect a Union School House in said borough, approved the thirteenth day of May, Anno Domini one thousand eight hundred and fifty-six.

Directors to  
maintain school  
for six months.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the board of directors of the Mercer school district to maintain and support, at least six months in each year, a school, for the education of all the youth in said district from five to twenty-one years of age, in the branches of a complete English education, and in such classical branches as the board of directors, in their discretion, may direct.

Repeal.

SECTION 2. That so much of the act to which this is a further supplement, as is hereby supplied, and altered, be and the same is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 317.

## AN ACT

Re-annexing part of Brady township, in Lycoming county, to Union county.

**WHEREAS**, The township of Washington, embracing the territory composing the township of Brady, in the county of Lycoming, was formerly part of the county of Union, but owing to the seat of justice in the latter county having been located in the town of New Berlin, some twenty miles distant from said township, the inhabitants thereof procured the passage of an act of the legislature, which was approved on the eleventh day of March, Anno Domini one thousand eight hundred and fifteen, annexing said township of Washington (then composing the territory embracing the township of Brady) to the county of Lycoming:

*And whereas*, By an act of assembly, approved the second day of March, Anno Domini one thousand eight hundred and fifty-five, the seat of justice was removed from New Berlin to the borough of Lewisburg, a distance of only about ten miles from said township of Brady, by a level road, and a very large majority of the inhabitants of that part of said township of Brady, within the boundaries hereinafter described, deeming it more convenient, desire to be re-annexed to the county of Union; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all that part of Brady township, in Lycoming county, (being the south-eastern part of said township,) commencing at the corner of intersection of Union, Northumberland and Lycoming counties, at the West Branch of the Susquehanna river; thence up said river on the line between Lycoming and Northumberland counties, to a point five rods north of Michael Fisher's dwelling house, on the bank of said river; thence a westerly course to intersect the western line of said township of Brady, at or near Jackson Forseman's tenant house, now occupied by Franklin Woodley; thence a southern course on the line of Brady township and Washington township, to intersect the Union county line; and thence along the Union county line to the place of beginning, be and is hereby re-annexed to the county of Union.

Boundaries of that part of Brady township re-annexed to Union county.

**SECTION 2.** That Abraham Straub and Joseph M. Nesbit, of Northumberland county, are hereby appointed commissioners, who shall, before the first day of July next, properly ascertain and mark the division line between the counties of Union and Lycoming, as changed by annexing said territory to the county of Union; and also to make out two drafts of said division line, one copy of which they shall deposit in the recorder's office in Lycoming county, and the other in the recorder's office of Union county; and the said commissioners shall respectively receive

Duties of commissioners.

**Compensation.** the sum of five dollars for every day necessarily engaged in running said division line and making out the drafts of the same; and chain carriers and axemen to receive each one dollar and fifty cents per day for the time necessarily employed, which compensation the commissioners of Union county shall pay by orders on the county treasury: *Provided however,* That in case said commissioners or either of them shall refuse or be unable to act, then, and in that case, the court of common pleas of Union county be authorized to fill such vacancies by appointment.

**Mortgages.** SECTION 3. That where any mortgages of any lands or tenements situate within the territory hereby annexed to the county of Union, shall have been recorded in the recorder's office of the county of Lycoming prior to the passage of this act, the lien of said mortgage shall remain the same as if this act had not been passed: *Provided,* That all process for the recovery of the same, after the passage of this act, shall issue from the county of Union, on a certified copy, filed in the office of the prothonotary, except where parts of the tract of land covered by such mortgage is in the county of Lycoming, and in such case, it shall be proceeded on as if this act had not been passed.

**Proviso.**

**Liens to continue** SECTION 4. That the lien of all judgments entered in the court of common pleas of Lycoming county prior to the passage of this act, that are liens on property embraced in the territory re-annexed to Union county, shall be and remain as if this act had not been passed: *Provided,* That to continue the lien of any such judgment on any lands or tenements situate in the territory so annexed to Union county, beyond the period of five years from the date of such entry, a transcript of the same shall be filed in the prothonotary's office of said county of Union, and *scire facias*, to revive the same, as in other cases, issued out of the court of common pleas of Union county, and *testatum* executions may issue as is provided by the laws of this commonwealth.

**Suits pending in Lycoming county.** SECTION 5. That all proceedings, suits, cases and prosecutions which shall be pending in the several courts of Lycoming county at the passage of this act, shall be proceeded in to a final termination, in the same manner and with the like effect as if this act had not been passed.

**Road, poor and school taxes to be divided.** SECTION 6. That road, poor and school taxes assessed in said township of Brady, including, as well such as are collected and on hand, as those uncollected at the passage of this act, shall be divided, by the township auditors, as they may deem just, between that part of said township of Brady annexed to the county of Union and the part remaining attached to the county of Lycoming.

**State, county and militia tax to be paid to Union county.** SECTION 7. That the state, county and militia tax for that part of the township of Brady which is hereby annexed to the county of Union, though assessed, shall be collected and paid into the treasury of Union county: *Provided,* The duplicates have not been made out and delivered to the collectors prior to the passage of this act.

**Proviso.**

**Selection of jurors.** SECTION 8. That within thirty days from the passage of this act, the sheriff and at least two of the county commissioners of Union county, shall select from the territory by this act re-an-

nexed to said county of Union, not exceeding twenty-five intelligent and judicious persons, to serve as jurors, and place their names in the wheel, to have the like effect as if said territory had belonged to said county of Union at the regular time of selecting jurors, and that hereafter the jurors shall be selected in the usual way provided by the laws of this commonwealth.

SECTION 9. That the officers for conducting the township election of Brady township, in the county of Lycoming, shall, on the last Saturday of June, one thousand eight hundred and sixty-one, at the usual place for holding the township elections, hold a special election, between the hours of eight o'clock, A. M., and seven o'clock, P. M., of said day, and shall receive from the qualified voters of that part of the said township of Brady proposed by this bill to be annexed to Union county, tickets labelled "Brady township," and within, either the words, "For Union county," or "For Lycoming county;" and the said officers of said election shall make return of the votes polled for Union county, and of the votes polled for Lycoming county, to the next court of quarter sessions of the county of Lycoming, which return shall be filed among the papers of said court, and a record thereof made as of other township elections. If a majority of the votes polled shall be for Union county, then the said township of Brady, according to the boundaries prescribed in this act, shall be and hereby is re-annexed to Union county; and if the majority of the votes polled shall be for Lycoming county, then the said part of Brady township shall not be re-annexed to Union county, but shall be and remain a part of Lycoming county, and the several provisions of this bill shall be void and of no effect: *Provided*, That the sheriff of Lycoming county shall give notice of such election, not less than four weeks before the time of holding the same, by publication, for three successive weeks, in two weekly papers in Lycoming county, and by posting not less than fifty handbills in the most public places of the township: *And provided further*, That in case a majority of the votes cast at such election shall be for Union county, a certified copy of such election return, as filed in Lycoming county, shall be forwarded by the prothonotary to the prothonotary of Union county, and shall therein be entered of record, and shall be therein conclusive evidence of the result of said election.

Special election,  
object of.

Mode of voting.

Return.

Result.

Proviso.

Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 318.

## A N A C T

To authorize the Dissolution of the Corporation, entitled "The Philadelphia Steam Tug Company for Saving and Protecting Property."

WHEREAS, The directors of the Philadelphia Steam Tug company for saving and protecting property, incorporated by an act of assembly of the commonwealth of Pennsylvania, passed the second day of May, Anno Domini one thousand eight hundred and fifty-five, have found it impossible to obtain sufficient subscriptions to build a suitable ice boat to keep open the navigation of the river Delaware in winter, and funds requisite for its support, it is therefore desirable to wind up the affairs of the company, and to pay to the stockholders such dividend as may arise from any balance of funds remaining in the hands of the directors; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the directors of the Philadelphia Steam Tug company for saving and protecting property, to apply by petition to the court of common pleas for the city and county of Philadelphia, setting forth the facts stated in the preamble to this act, and praying for the relief hereby provided; whereupon the said court shall make a decree, that the said corporation shall thereupon and thereafter be dissolved and terminated; and the members of the said corporation shall be and remain forever thereafter discharged and released from all duties and responsibilities as such: *Provided however,* That before making any decree of dissolution as aforesaid, the court shall be satisfied that all debts due by the said corporation have been fully paid and satisfied; whereupon the court shall direct that the balance of moneys in the hands of the treasurer of said company be paid to the stockholders, or their legal representatives, in proportion to the amount of the instalments paid by them to said corporation; and upon satisfactory proof being exhibited to the court of the payment, as aforesaid, to said stockholders, or their legal representatives, the court shall have power to make a decree, exonerating and discharging the said directors and other officers of said corporation from all and any responsibility and liability in respect to the said moneys so paid to the said stockholders and others.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 319.

## A SUPPLEMENT

To an act to establish High and Low Water Lines in the Monongahela, Allegheny and Ohio rivers, in the vicinity of Pittsburg.

WHEREAS, In pursuance of an act, approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act to establish high and low water lines on the Allegheny, Monongahela and Ohio rivers, in the vicinity of Pittsburg, in Allegheny county," certain stones have been set in and near the shores of said rivers and the islands therein, marked on their tops with the letters R. L., and numbered with figures one, two, three, et cetera; the position of which stones is indicated on the map of the survey, and are points from which to determine the location of said lines; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall not be lawful for any person to disturb or displace said stones, or any of them; and any person or persons so offending, shall be liable to a penalty of twenty dollars, together with the cost of re-setting, as hereinafter provided, for any stone or stones unlawfully disturbed or displaced, to be recovered as debts of like amount are now by law recoverable; one-half of the said twenty dollars for the use of the informer, and the other half, together with the cost of re-setting, to be paid into the treasury of Allegheny county: *Provided,* That in case of necessary and lawful excavation or grading, any of said stones be exposed to disturbance or displacement, it shall be the duty of the person or persons finding or uncovering such stone, before proceeding farther, to give notice, if within the bounds of a city or borough, to the regulator or surveyor thereof; and if not within the bounds of a city or borough, to the county surveyor of Allegheny county, that such stone or stones are exposed and require protection; and it is hereby made the duty of such surveyors and regulators, when notified as aforesaid, to proceed without delay to examine the location and condition of such stone or stones, and according to the requirements of the case, place such stone or stones higher or lower in its place, or otherwise so set it in another adjacent locality, as that it shall be available for the use originally intended; and in case of setting in a new place, the said surveyor or regulator, as the case may be, shall make a proper note of such removal or re-setting, on the recorded map of the survey of high and low water lines; the expense of adjusting and re-setting said stones, shall be paid out of the treasury of said Allegheny county: *Provided,* That the commissioners of the county of Allegheny shall not draw any order or warrants on the treasury, or pay out any money after

Penalty for displacing stones.

Proviso.

Proviso.

the first day of May, Anno Domini one thousand eight hundred and sixty-one, or incur any expense under the provisions of the act, entitled "An Act to establish high and low water lines in said county," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

Duties of surveyor, supervisors, regulators, &c.

SECTION 2. That it is hereby made the duty of the county surveyor of Allegheny county, and the supervisors and road masters, and the surveyors and regulators of the cities and boroughs within the limits specified in the act to which this is a supplement, when directing, conducting or overseeing, or if it come under their notice, any grading, excavation or filling, whether on streets, roads or other public ways, or on private property, to take care that nothing be done to, or on any of the stones, land marks aforesaid, calculated to disturb, deface, or in any respect impair their usefulness, for the purposes for which they were intended; and the said surveyors, regulators, supervisors and road masters, together with their necessary assistants, shall have power and authority to enter upon any lot or land within the limits, or adjacent thereto, of the said survey of high and low water lines, to perform the service and duty required of them by this act.

Repeal.

SECTION 3. That all laws or parts of laws inconsistent herewith, are hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 320.

## AN ACT

Authorizing the Trustees of the Upper Dublin Lutheran Evangelical church to Borrow Money.

WHEREAS, By an act, entitled "An Act to incorporate the German Lutheran church, in Upper Dublin township, Montgomery county," approved the twenty-third day of April, Anno Domini one thousand eight hundred and fifty-two, a number of citizens of said county were incorporated, under the name, style and title of the Upper Dublin Lutheran Evangelical church, and have erected a church edifice under said charter:

*And whereas*, Said edifice is now completed, but there remain some claims against said edifice, contracted in its erection, yet

unpaid, and it is necessary that the trustees should have authority to borrow money :

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the corporation of the Upper Dublin Lutheran Evangelical church, in Montgomery county, shall and are hereby empowered to borrow, to pay off the claims now against the church edifice erected by them, any sum of money, not exceeding the sum of twelve hundred dollars; and that any security upon the real estate of the said corporation, given by the said trustees in the name of the said corporation, for the payment of any sum so borrowed, shall be valid and effectual to enable the lender to collect the same from the said corporation, anything in the charter of the said corporation to the contrary notwithstanding.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

**APPROVED**—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 321.

## A N A C T

Requiring the Resumption of Specie Payments by the Banks, and for Equalization of the Currency of the State.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of any act of assembly as declares or authorizes the forfeiture of the charter of any bank of incorporation having banking privileges, or inflicts any penalties or restrictions, or authorizes any compulsory assignment, for or by reason of the failure or refusal of any such bank or incorporation to redeem its notes and pay its liabilities, in gold and silver coin, since the nineteenth day of November, Anno Domini one thousand eight hundred and sixty, be and the same is hereby suspended until the second Tuesday of October, Anno Domini one thousand eight hundred and sixty-one; and all forfeitures, penalties or liabilities, arising therefrom or incurred by reason of any failure to comply with the provisions of any or all laws regulating the same, or hereafter incurred, before the said second Tuesday of October, Anno Domini one thousand eight hundred

Extension of time  
for the resump-  
tion of specie  
payments.

Penalties and  
liabilities remit-  
ted.



- and sixty-one, be and the same are hereby remitted; and the notes of solvent banks of this state, which were paying specie on the said nineteenth day of November, Anno Domini one thousand eight hundred and sixty, shall be deemed, taken and computed, for all purposes, as the notes of and balances due from specie paying banks, from the said nineteenth day of November, Anno Domini one thousand eight hundred and sixty, until the second Tuesday of October, Anno Domini one thousand eight hundred and sixty-one; and all forfeitures or penalties incurred by any bank or incorporation, for or by reason of their having used, treated or computed the notes of such suspended banks of this state as were paying specie on the nineteenth day of November, Anno Domini one thousand eight hundred and sixty, as the notes of specie paying banks, are hereby remitted; and so much thereof as prohibits any bank from making loans and discounts, issuing its own notes or the notes of other banks incorporated under the laws of this commonwealth, though not specie paying, or declaring dividends, during the suspension of specie payments, or from loaning or discounting without the requisite amount of specie or specie funds as aforesaid, be and the same is hereby suspended until the day and year aforesaid: *Provided*, That no director of any bank shall be a borrower in said bank, at any one time, for a greater amount than five per centum on the capital stock paid in; and the gross amount loaned to all the directors and other officers of said banks, and to the houses or firms in which they may be interested, directly or indirectly, shall not exceed, at any one time, the sum of ten per centum on the capital stock paid in; and that article thirteen of the tenth section of the act, entitled "An Act regulating banks," approved the sixteenth of April, one thousand eight hundred and fifty, shall not be so construed as to prohibit the banks of this commonwealth from receiving the notes of the banks of other states, at such rates of discount as may enable them, without loss, to send the same out of the state for conversion or redemption, and for such purpose only: *Provided*, That the stockholders of said banks, at their annual meeting, as required by law, may fix the number of directors to be elected, to conduct the affairs of said bank, at such number as they may then determine; said number shall not be less than five, nor more than thirteen; and when the number of said directors shall be seven, or any less number, a majority then shall be necessary to constitute a quorum for business.
- Notes, how taken and computed.**
- Loans, discounts, dividends, &c.**
- Proviso.**
- Directors.**
- Votes.**
- Proviso.**
- SECTION 2.** That at all meetings of stockholders of said banks of this commonwealth, and in conducting the elections for directors thereof, the stockholders shall be entitled to vote in proportion to the number of shares held by them respectively, as follows; that is to say: For every share of stock, not exceeding ten shares, the holder shall be entitled to one vote; for every two shares of stock above ten, and not exceeding twenty additional shares, the holder shall be entitled to one vote; and for every five shares of stock above thirty, and not exceeding one hundred, the holder shall be entitled to one vote; and for every ten shares above one hundred, one vote: *Provided*, That the right to vote by proxy at elections for directors, is hereby conferred

upon the stockholders of all banks of this commonwealth, subject to the provisions of the act of twenty-eighth of March, one thousand eight hundred and sixty, relative thereto: *Provided*, Such proxies shall not have been obtained more than sixty days before such election: *Provided further*, That the banks of this commonwealth may hold, for more than five years, property taken or received by assignment, execution or otherwise, in payment of debts to said banks. *Proviso.* Property received by assignment, execution, &c.

SECTION 3. That it shall be lawful for the incorporated banks of issue, or that may hereafter be incorporated under the provisions of any law of this commonwealth, to issue and put in circulation notes of the denomination of one, two and three dollars, to an amount not exceeding twenty per cent. of the capital stock paid in: *Provided*, That the specie paying banks may pay out, at the option of the receiver, the notes of such banks of this state as they may receive, in the course of their business, at par. *May issue small notes.* Limitation. *Proviso.*

SECTION 4. That each and every bank in the cities of Philadelphia, Pittsburg and Allegheny, shall make and publish a statement of its condition on the first discount days of each and every month of the year; and every other bank of this commonwealth shall publish such statements on the first discount days of February, May, August and November, in each year. *Statements.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 322.

## AN ACT

Relative to Sales at Auction in the county of Beaver.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the governor be and he is hereby authorized and empowered to appoint and commission, for the term of five years, one suitable person in the county of Beaver as auctioneer, who is hereby authorized to sell at public auction, at such times and places as he may select, and in any quantity, all kinds of goods, wares, merchandise, lands, tenements and all other kinds of property not herein named; and *Appointment of auctioneer authorized.* Privileges.

Commission.

Per centum upon sales.

Proviso.

Penalty for selling by auction without commission.

Proviso.

said auctioneer so appointed shall, before exercising any of the powers or privileges incident to said appointment, pay into the county treasury, for the use of the commonwealth, the sum of twenty-five dollars for his commission; and said auctioneer appointed under the provisions of this section, shall pay into the county treasury, for the use of the commonwealth, one per centum upon all sales exceeding in amount the sum of two thousand dollars per annum: *Provided*, That said auctioneer shall not be authorized to sell at public auction any goods, wares, merchandise or other property which is brought into said county from other counties of this state or from other states, for the purpose of being sold at auction.

SECTION 2. That if any person not commissioned and authorized as aforesaid, shall, after the passage of this act, make sale by auction or public outcry, of any merchandise, estate or property whatever, unless authorized by general law, or shall in any manner use or exercise the business or occupation of an auctioneer within the limits of said county of Beaver, he shall, upon conviction thereof, for every such offence, forfeit and pay not less than one hundred nor more than three hundred dollars, to be recovered in any court having jurisdiction thereof, as debts are by law recoverable, one-half to the use of the commonwealth and the other half to the use of the person suing for the same: *Provided*, That this act shall not apply to sales by sheriffs, constables, executors, administrators, guardians, trustees or by owners in disposing of their household goods.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 323.

## AN ACT

To establish a Public Ferry over the Allegheny river, near the mouth of Oil creek, in Venango county.

Ferry authorised

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel A. Thomas, his heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings on each side of the Allegheny river, at a place near the mouth of Oil creek, and fifty-two rods below Oil creek*

island, in Venango county, and to use the river between said landings as a public ferry; and also the right and privilege of erecting posts on any land or lands contiguous thereto, and to extend therefrom and across said Allegheny river a chain or wire, in order to facilitate the crossing of said stream: *Provided*, That the said Samuel A. Thomas, his heirs and assigns, shall pay to the owner or owners of the land or lands on which the said landings may be made, and the said posts erected, all damages which may accrue to said owner or owners in consequence thereof, which said damages, if they cannot be amicably arranged, shall be assessed by a jury of three persons, appointed by the court of quarter sessions of Venango county, and their report and proceedings shall be the same in every respect as in the case of opening roads under existing laws. Privileges.  
Damages, how assessed.

SECTION 2. That the said Samuel A. Thomas, his heirs and assigns, shall keep the said ferry in good order and repair, fit for the transportation and passage of travelers, and teams and carriages of all descriptions, and keep good and sufficient boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, and teams and carriages of all descriptions across said river with all reasonable diligence and care. Ferry to be kept in good order.

SECTION 3. That the said Samuel A. Thomas, his heirs and assigns, as a remuneration for keeping up and in good repair the said landings and ferry, as aforesaid, shall receive such tolls as may be prescribed by the court of quarter sessions of Venango county, for carrying persons, teams, carriages, horses and other animals. Tolls.

SECTION 4. That if any person or persons shall willfully pull down, cut or break, or in any way injure or destroy any chain, wire, boat or other property, or shall take from its moorings any boat or craft belonging to said ferry, he, she or they, so offending, shall pay to the said Samuel A. Thomas, his heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said Samuel A. Thomas, his heirs and assigns, to be recovered as debts of like amount are recoverable. Penalties for injuries to works.

SECTION 5. That all other persons are hereby prohibited from using the said river for the purpose of a ferry within a mile above and below the said ferry; and any person or persons violating the provisions of this act shall forfeit and pay to the said Samuel A. Thomas, his heirs and assigns, the sum of one dollar for each and every traveler, team, head of cattle, horse or carriage carried over the said river within the above named bounds: *Provided*, That nothing in this act contained shall be so construed as to prevent persons owning the shore on both sides of the river, within said limits, from transporting persons and property free of charge. Prohibition.  
Penalty.  
Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 324.

## A N A C T

To authorize the Erection of a Poor House by the township of Blakely, in Luzerne county.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
- Commissioners.** J. Burr Kenyon, Lyman Peck, John P. Farnham, Michael Flinn, James G. Stevens, of the township of Blakely, in Luzerne county,
- Their duty and powers.** be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, as soon after the passage of this act as practicable, to determine upon and, with the assent of the court of quarter sessions of Luzerne county, purchase such real estate, within ten miles of the hotel of Levi Lillibridge, in said township, as may be necessary and proper for the accommodation of the poor of the township of Blakely aforesaid; and it shall be lawful for said commissioners to take and receive proper conveyances therefor, in the name and for the use of the corporation mentioned in the second section of this act, and upon the receipt of the said conveyance, to execute, in the name of said corporation, and deliver to the vendee or vendees bonds or mortgages upon said real estate, to secure the payment of so much of the purchase money thereof as shall then remain unpaid; and also to erect thereon suitable buildings for the accommodation and keeping of the poor of said township; and they are also authorized and empowered to borrow such sum or sums of money as may, in their opinion, be advisable and necessary, not exceeding four thousand dollars, to be used in the payment of the expense of purchasing said real estate and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.
- Directors of poor.** **SECTION 2.** That the said J. Burr Kenyon, Lyman Peck, John P. Farnham, Michael Flinn, James G. Stevens, are hereby constituted directors of the poor in the township aforesaid, until successors are appointed and qualified as hereinafter provided; and they and their successors in office are hereby created a
- Incorporation.** body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of said township, and shall have perpetual succession, by the name, style and title of the directors of the poor of Blakely township, and by that name
- Privileges.** may be sued, plead and be impleaded, receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of three thousand dollars; to erect and keep in proper condition, suitable buildings for the reception, use, accommodation and employment of the poor of said township, and to provide all things necessary for the lodging, maintenance and employment of the poor of said township.
- Election of directors.** **SECTION 3.** That the said J. Burr Kenyon, Lyman Peck, John P. Farnham, Michael Flinn and James G. Stevens, shall continue

in office, as directors, until the annual March election, in the year one thousand eight hundred and sixty-three, at which time the qualified electors of said township shall elect three persons to serve as directors of the poor of said township, one to serve one year, one for two years, and one for three years; and yearly thereafter the said electors shall elect one person to serve as director as aforesaid, for three years; and the returns of all elections under this act, and proceedings connected therewith, shall be the same as in the case of elections of township officers: *Provided*, That any vacancy in said office of director, by resignation or otherwise, shall be filled by the court of quarter sessions of Luzerne county, until the next ensuing election of directors, when the said vacancy shall be filled by election, under the limitations aforesaid; and the said court shall have power to remove any director, for gross neglect of duty or other misconduct, upon the petition of ten or more of the aforesaid electors, upon a hearing of the complaint, after reasonable notice to the director complained of.

Returns of election.

Vacancies.

Removal.

SECTION 4. That the said directors shall, before entering upon the duties of their office, be duly sworn or affirmed, to faithfully discharge the duties of said office; and the persons herein appointed directors, shall, as soon as they shall think proper, after the passage of this act, appoint a treasurer, steward or superintendent, collector of taxes for poor purposes, and such other assistants as they shall deem necessary, who shall serve until successors are appointed; and in the month of January, one thousand eight hundred and sixty-two, and in the month of January in each year thereafter, the said directors shall appoint a treasurer, a collector, a steward, a physician and such other assistants as they may deem necessary, to serve for one year, and until successors are appointed and qualified; the said treasurer and collector to give bonds with sufficient security, conditioned for the faithful performance of their respective duties, in such sum as said directors may require; any of said officers or assistants may be removed by said directors for misconduct or neglect of duty in office, and the vacancies, as well as all vacancies which shall otherwise occur, shall be filled by them.

Directors to be sworn.

Treasurer, steward, collector of taxes and assistants.

SECTION 5. That the said directors, any two of whom shall constitute a quorum to transact business, shall have power, annually, as soon after the returns of the annual assessments in said county as is practicable, to lay a rate or assessment, not exceeding one cent on the dollar at one time, upon all real and personal estates, trades and occupations and property within the township aforesaid, for defraying the expenses of purchasing the real estate aforesaid, erecting necessary buildings thereon, and maintaining the poor of said township, which shall be the same rate per centum in said township, and shall be levied upon the basis of the last adjusted valuation made for regulating county rates and levies; and having caused fair duplicates of such rate or assessment, by them laid, to be made, which shall be signed by them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand, receive and collect from every person therein named the sum wherewith such person stands charged, in the manner and by the same process as poor taxes are now by law collectable;

Poor tax, how assessed and collected.

Directors to perform the duties of overseers.

and the said directors shall, from the time of providing by them of suitable buildings for the accommodation of said poor, exercise and perform all the powers and duties which overseers of the poor may and are now required by law to exercise and perform within said township, except so far as said acts, duties and powers are herein expressly prescribed or limited.

Certificate and statement to be filed.

SECTION 6. That the said directors shall, as soon as they shall have provided suitable buildings for the accommodation of the poor of said township, file in the office of the clerk of quarter sessions of Luzerne county, a certificate, setting forth that such buildings are ready for the reception and accommodation of the said poor, which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon and the cost of fitting up the same; and thereupon shall give notice to the overseers of the poor of said township of their readiness to receive and provide for the poor thereof; whereupon said overseers shall furnish the said directors with a list of the names of the persons then a charge upon said township, or receiving relief therefrom, with the place of residence of each; and the said directors shall thereupon cause so many of such poor persons as they shall deem expedient, to be removed to such house so provided, and thereafter to be kept, lodged and maintained therein, so long as such persons shall continue a charge upon said township; and no person, who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to receive relief or support from said township during the time of such refusal: *Provided*, That said directors may, if they think proper, afford relief to any poor persons, without requiring them to be removed to and kept at said poor house.

Notice to overseers.

To receive and provide for poor.

Proviso.

Employment.

SECTION 7. That the said directors are hereby authorized to provide work and employment for such poor persons as may be able to labor or pursue any employment; and if any poor person, unless unable by reason of age, infancy, disease, or other disability, shall refuse to perform such reasonable labor or service as shall be allotted to or required of him or her by said directors, such person or persons shall not be entitled to or receive any relief or assistance during such refusal, and shall, immediately upon such refusal, be discharged from said poor house.

When office of overseer to cease

SECTION 8. That the overseers of the poor of the said township shall, when notified by the said directors, in the manner provided for in the sixth section of this act, cease to act as overseers of the poor in said township, except so far as may be required to settle, adjust and close their accounts, as overseers, with said township, or with persons with whom they have transacted business; and they shall, upon demand, deliver to the said directors transcripts of all poor taxes remaining unpaid on duplicates in their hands, together with all books, papers, orders and documents pertaining to their office of overseers; and shall also pay to the said directors, or to the treasurer appointed by them, all the moneys unexpended in their hands, belonging to said township; and the directors shall forthwith issue their warrant to the collector for the collection of all such unpaid poor taxes, which shall be collected in the same manner as is provided for the collection of taxes assessed by said directors.

Books, papers, &c., to be delivered.

Unpaid poor taxes.

**SECTION 9.** That if, upon a final settlement by said overseers, of the township aforesaid, of their accounts as overseers, any balance shall be found due to them, or either of them, the auditors making such settlement shall certify such balance, and thereupon the said directors shall issue their order upon the treasurer in favor of such overseer or overseers, for the amount or amounts so certified to be due. Auditors to certify balance.

**SECTION 10.** That the steward or manager of said poor house is hereby required yearly, on the first Monday in January in each year, to furnish to said directors a statement, under oath, of the income of said real estate as nearly as the same can be done; also of excess of expenditures over and above said income, the amount and kind of personal property then on hand, the number of persons admitted and discharged during the year, with the number then in said poor house, the age, nativity and sex of each, and the length of time each remained therein; the treasurer shall annually, on the first Monday of each year, render under oath, to said directors, a just and correct account of his receipts and disbursements during the preceding year; and the said directors shall annually, in the month of January in each year, make a statement of the receipts, disbursements and expenditures of said corporation during the preceding year, and of the personal and real estate then held by them, and cause copies of said statement to be posted in at least three of the most public hotels in said township of Blakely. Annual statement of income, expenditures, &c., to be made.

**SECTION 11.** That the auditors of the township of Blakely shall constitute a board of auditors to settle the accounts of said directors, and which auditors shall meet for that purpose on the second Monday of January in each year, and shall receive for their services each one dollar per day for every day necessarily employed. Auditors.

**SECTION 12.** That all orders issued for the relief of any poor person or persons within said township, after the filing of the certificates mentioned in the sixth section of this act, shall be directed to the directors of the poor of Blakely township; and upon receipt of said orders, said directors, or any one of them, shall immediately proceed to inquire into the circumstances, and if the person or persons therein named are found by them or him to be entitled to relief, he or they shall furnish such relief, or cause such person or persons to be removed and taken to said poor house, and there kept and maintained until legally discharged; any one of said directors shall have authority to direct a poor person to be admitted into said poor house; but no person shall be discharged therefrom, unless at his or her own request, except by the direction of at least two of said directors. Orders for relief.

**SECTION 13.** That the said directors are hereby authorized to bind out the poor children under their care, whose parents are dead or unable to support them, as apprentices, in the same manner and under the same restrictions as the overseers of the poor may now by law put out such children; and the said directors shall exercise the same power and authority over all real and personal estate of any poor person under their care as is now by law vested in the overseers of the poor. Apprentices. Property of inmates.



Compensation.

SECTION 14. That the compensation of the treasurer, collector, steward, matron, physician, and other officers and assistants, shall be fixed by the directors aforesaid, and the compensation of the directors shall be fixed by the board of auditors, at each yearly settlement, for the ensuing year: *Provided*, That the compensation of said directors, from the passage of this act until the first settlement, shall be fixed by the board of auditors, at the first yearly settlement; the said directors to furnish the said auditors a correct account, under oath or affirmation, of the time and expenses, lost and incurred, by them, in attending to their duties, from which account the said compensation shall be fixed and adjusted.

Appeal from settlement.

SECTION 15. That the said directors or treasurer, or any one or more of the tax-payers of said township, may, within twenty days from the yearly settlement by the auditors as aforesaid, appeal from such settlement to the court of common pleas of Luzerne county, in the same manner and under the same provisions and regulations that appeals from settlements by township auditors are now allowed.

Money, how paid

SECTION 16. That no moneys shall be paid by the treasurer, except upon orders drawn by the directors and signed by at least two of said directors.

Authority of overseers transferred to directors.

SECTION 17. That after the filing of the certificates as mentioned in the sixth section of this act, the said directors are hereby clothed with all the authority of overseers of the poor under existing laws of this commonwealth, in addition to all the authority conferred by this act; and that any general laws in conflict with this act are hereby repealed, as to the said township of Blakely.

Repeal.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 325.

## AN ACT

Supplementary to the acts incorporating the borough of Carlisle.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be the duty of the assessor for the said borough of Car-*

lisle, to assess and return to the town council of said borough. Duty of assessor. all persons who may remove into the borough of Carlisle, after the assessment for county levies shall have been made in each year, as well as all persons who may be omitted in the assessment for county levies, together with a valuation of their professions, callings, things or property liable to taxation; said objects so returned to be taxed for borough purposes, the same as if they had been returned by the commissioners of the county, giving, however, to persons so assessed and returned, the right to be heard on an appeal, by the town council, if such Appeal. persons should so require to be heard, at any regular meeting of said council, before the duplicate for the collection of taxes so assessed, shall have been issued to the collector.

SECTION 2. That in case of a vacancy in the office of chief Vacancy in office of burgess, how filled. burgess of said borough, by death, inability or refusal to perform the duties of said office, on the part of both the chief and assistant burgesses, it shall be the duty of the town council of said borough to elect some qualified person to fill such vacancy until the next annual borough election.

SECTION 3. That the several fines and penalties imposed by Fines, how recovered. the ordinances of the said borough of Carlisle, may be sued for and recovered before any justice of the peace of said borough, as in the case of debts of similar amount: *Provided however,* That upon the conviction of any person or persons, of violation Proviso. of a borough ordinance, and judgment rendered for the amount of the penalty imposed for such violation, it shall be the duty of the officer executing such judgment, upon the refusal of the person or persons thus convicted, to pay the amount of such judgment, together with the costs, to proceed to collect the amount of the penalty thus imposed, together with the costs, in like manner as is rendered the duty of the collector of county rates and levies, upon the neglect or refusal of any person to pay the amount of tax assessed against him: *Provided further,* That in case of the violation of a borough ordinance, by a person Proviso. not resident within the borough of Carlisle, such person so offending, may be arrested by any qualified officer, taken immediately before a justice of the peace, and upon conviction of the offence charged, be liable to immediate payment of the penalty imposed for violating such ordinance, or in default of the payment of said penalty, be committed to jail for a period not exceeding forty-eight hours.

SECTION 4. That from and after the passage of this act, the Boundaries. limits and boundaries of said borough of Carlisle, shall be as follows: Beginning at the Carlisle and Chambersburg turnpike; thence south two and a half degrees west two hundred and thirty-two perches to Steele's lane; thence south eighty-one degrees east ninety-five perches to a post in the field of John Noble; thence north eighty-nine degrees east across the Carlisle and Hanover turnpike down the Green lane across the Letort spring to a post at the Spring road two hundred and twelve perches; thence north seventy degrees east one hundred and eighty-one perches to a post at the York road; thence north nine and a half degrees west one hundred and ninety-four and five-tenths perches to the centre of Cumberland Valley railroad; thence north fifty-five degrees west through the Garrison

lands across Letort spring and across the Carlisle and Harrisburg turnpike two hundred and twenty-five perches to a post at Stinking lane; thence by said lane north twenty-two degrees west thirty-four perches to a post; thence north seventy-eight and a half degrees west forty-one and five-tenths perches to a post at the Sulphur Spring road; thence south seventy-two degrees west two hundred and four perches to a post; thence south eight degrees west one hundred and thirty-eight perches to the place of beginning.

Repeal.

SECTION 5. That all acts or parts of acts inconsistent herewith, are hereby repealed, so far as relates to the borough of Carlisle.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 326.

## AN ACT

For the laying out of a certain State Road in Monroe and Carbon counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. William S. Reese, Samuel Miltenberger, of Monroe county, and Philip Woodring, of Carbon county, be and they are hereby appointed commissioners to lay out a state road, commencing

Route. at the public house of Samuel Miltenberger, on the Eastern and Wilkesbarre turnpike, in Monroe county, and running from thence, by the nearest and best route, until it intersects a public road in Carbon county, leading from Merwinsburg to White Haven, at or near the public house of Cornelius Zeigenfus.

Duty of commissioners. SECTION 2. That the said commissioners or a majority of them, after being first sworn or affirmed to perform the duties enjoined upon them with fidelity, shall carefully view the ground between the proposed points for said road, and shall lay out the same in as nearly a straight line as the nature of the ground and other important circumstances will permit, so as to promote the public good; and they shall be authorized and empowered to employ two chain bearers, one axeman and one staff bearer, at a per diem allowance not exceeding one dollar and fifty cents per day for each person so employed.

Chain bearers, &c.

**SECTION 3.** That the said commissioners shall cause the road <sup>Drafts.</sup> which they shall lay out, to be distinctly marked upon the ground, and shall cause three accurate drafts to be made of the said road, noting thereon the courses and distances, streams of water and township and county lines, one of which shall be deposited in the office of the secretary of the commonwealth and one in the office of the clerks of the respective courts of quarter sessions of Monroe and Carbon counties, on or before the first day of December next; and from the time of the same being so filed, the said road shall be a public highway, and shall be opened, repaired and kept in order by the supervisors of the respective townships through which it shall pass, as other public roads and highways are now by law required to be opened and repaired, and to be of the width of thirty-three feet.

**SECTION 4.** That the compensation of said commissioners shall <sup>Compensation.</sup> be two dollars per diem each, with a like compensation to a surveyor, if necessary, for every day necessarily employed by virtue of this act; and the accounts of said commissioners, for <sup>Accounts, how</sup> their own pay and the pay of their surveyor and hands afore- <sup>settled.</sup> said, shall be adjusted and allowed by the commissioners of Monroe and Carbon counties, in proportion to the distance run in said counties, and paid by the treasurers thereof, by warrants drawn in the usual way; and if any vacancy shall happen in <sup>Vacancies.</sup> the board of commissioners, by resignation or otherwise, the remaining two shall be authorized to fill the vacancy by a suitable appointment.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

**APPROVED**—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 327.

## A SUPPLEMENT

To an act to incorporate the Veterinary College of Philadelphia, approved April fifteenth, one thousand eight hundred and fifty-two.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the original corporators, together with C. F. Lex, B. R. Miller, St. George Tucker Campbell, G. W. Bowler, S. S. Kilpatrick, and Robert Jennings, or any three of them, shall and may, and they are hereby authorized to open books and receive subscrip-

tions to the stock of the Veterinary college of Philadelphia, to an amount not exceeding fifty thousand dollars, in shares of ten dollars each, which shall be the capital of said company; and on twenty or more shares thereof being subscribed, a meeting of the stockholders may be called by the holder of one of said shares, on notice being given by advertisement, for three days consecutively, in one daily newspaper in the city of Philadelphia, stating when and where such meeting shall be had in said city; and that at said stockholders' meeting there shall be elected five directors, who shall serve from the time of such election until the first Monday in April, one thousand eight hundred and sixty-one; said directors shall elect a president, secretary and treasurer, and shall appoint the faculty and exercise all the corporate powers of the company; that a stated meeting of the stockholders shall be held on the first Monday of April, Anno Domini one thousand eight hundred and sixty-one, and annually thereafter; of which meetings three days' notice shall be given as aforesaid, for the election of five directors, to serve for one year, or until others shall be elected. Special meetings of the stockholders may be called by the president, at the request of ten or more stockholders; and on the publication of a notice, as required for said first meeting, and at all meetings of said stockholders, each share shall be entitled to one vote; that the said corporation shall have power to borrow any sum or sums of money not exceeding in the whole fifty thousand dollars, to issue their bonds for the payment of the same; the said bonds to be each for the sum of one hundred dollars, and to secure the payment of said bonds, by a mortgage or mortgages of the real estate of said corporation.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 328.

## A FURTHER SUPPLEMENT

To an act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

There shall be an allowance to all payers of taxes who shall pay the same in the year for which they are assessed, as follows: Five per cent. if paid on or before the first day of April, four per cent. if paid on or before the first day of June, two per cent. if paid on or before the first day of July; if paid after the first day of July and on or before the first day of September, no deduction shall be made; if paid after the first day of September and on or before the first day of October, an addition of two per cent. shall be added to and payable on the same, and if not paid until the first day of December, then an addition of five per cent. shall be added to and payable on the same; and the councils of Philadelphia shall have the power to allow any other percentage for the payment of taxes, or add any other penalty for their non-payment during the current year: *Provided however*, That the provisions of this act shall not be construed to apply to the tax levied and assessed in the year one thousand eight hundred and sixty-one: *Provided*, That the provisions of the sixth section of the act, approved May first, one thousand eight hundred and fifty-two, entitled "An Act relative to the district of West Philadelphia," be and the same is hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 329.

## A SUPPLEMENT

To an act to incorporate the Johnstown and Scalp Level Turnpike Road Company, approved the seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said Johnstown and Scalp Level turnpike road company shall have, in addition to the period fixed by the fourth section of the act incorporating said company, approved the seventeenth day of April, one thousand eight hundred and fifty-six,

## LAWS OF PENNSYLVANIA,

for the completion of their said road, an additional period of five years from the passage of this act, for said purpose.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 330.

## A N A C T

Providing for the Final Adjustment and Settlement of the Claim of Samuel R. Richards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer, auditor general and attorney general, be and they hereby are appointed to examine, adjust and settle, upon principles of justice and equity, the claim of Samuel R. Richards against the commonwealth of Pennsylvania, as set forth in an act of assembly approved thirteenth April, one thousand eight hundred and fifty-four, entitled "An Act in relation to the claim of Samuel R. Richards, a canal contractor;" and it shall be their duty, after being sworn or affirmed, to examine, adjust and settle the said claim, upon principles of justice and equity, and to make out an award thereon; to proceed to the performance of said duty, having given ten days notice to the claimant of the time and place of meeting, receiving as evidence in such examination all the records, documents, depositions, estimates and other papers pertaining to the case, filed or to be found in the office of the canal commissioners or auditor general, together with the journals of the canal commissioners and the legislature, and such other testimony, either parol or written, as shall be produced before them on behalf of said claimant or the commonwealth; and after such examination and hearing, they, or a majority of them, shall make out an award thereon, and the auditor general shall draw his warrant upon the state treasurer for such amount, if any, as shall be by them awarded to said

Richards, which shall be paid by the state treasurer out of any moneys not otherwise appropriated.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 331.

## AN ACT

To enable the county of Armstrong to Compromise with the Holders of her Bonds.

WHEREAS, By an act of the general assembly, entitled "A further supplement to an act, entitled 'An Act for the incorporation of the Pittsburg, Kittanning and Warren railroad company,' passed the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-two," the county of Armstrong, with other counties therein named, was authorized to subscribe to the capital stock of the Allegheny Valley railroad company, and to pay her stock thus subscribed in the bonds of said county:

*And whereas*, By the same act, it is provided that the bonds of any county so delivered in payment of her subscription, shall not be sold at less than their par value:

*And whereas*, The county of Armstrong did subscribe the sum of one hundred and fifty thousand dollars to the capital stock of said railroad company, and did deliver to said company, in payment thereof, one hundred and fifty bonds, each calling for the sum of one thousand dollars, upon the terms and conditions in the act of the general assembly stated:

*And whereas*, It is alleged that said bonds were delivered upon the further condition in writing, to wit: that the said railroad company should pay the interest on said bonds, and protect said county from loss arising from the same:

*And whereas*, It is further alleged that said railroad company and all the holders of said bonds have violated the terms and conditions upon which said bonds were delivered; and by reason thereof, said bonds are void and of no effect, and proceedings are now pending in the supreme court in regard to said bonds:

*And whereas*, It is believed that a settlement and compromise can be effected by which said bonds will be surrendered to said county and litigation avoided; therefore,



## LAWS OF PENNSYLVANIA,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Armstrong county and their successors in office, be and they are hereby authorized to make and execute all bonds, notes or other securities necessary to carry into effect any settlement or compromise made in pursuance of the first section of this act; all of which said bonds, notes, agreements or securities shall be as good and valid in law as if the form thereof was set forth in this act: *Provided,* That any settlement or compromise made by said commissioners, be first submitted to and approved by the court of common pleas of Armstrong county, or two judges thereof, the president being one.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 332.

AN ACT

To authorize the Supervisors of Rapho and East Donegal townships, in Lancaster county, to pay one-third of the cost of erecting a County Bridge over the Little Chiques creek, at or near the farm of Benjamin Hostetter.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of the townships of Rapho and East Donegal, in the county of Lancaster, be and are hereby authorized to pay, out of the township road taxes, one-third of the cost of the erection of a bridge over the Little Chiques creek, where said creek divides said townships, at or near the farm of Benjamin Hostetter; the one-third cost of such erection to be paid by the supervisors to the county commissioners, and by them applied to the payment of said bridge; and the said supervisors are hereby authorized to lay and assess taxes for the same.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 333.

## AN ACT

To authorize the Conveyance of certain Real and Personal Estate.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the trustees of the Greensburg academy, in the county of Westmoreland, be and they are hereby authorized and empowered to convey by deed, in fee simple, all the real estate of the aforesaid corporation, and also to assign and transfer all the personal property and funds belonging thereto, to the school district of Greensburg borough, in said county, for the purposes of common school education: Provided, That two-thirds of the said trustees shall join in such conveyance and transfer, and that the same shall be approved by the court of common pleas of said county.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 334.

## AN ACT

Annexing the Real Estate of W. W. Corbett, of Rose township, Jefferson county, to the borough of Brookville, in the same county, for school purposes.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the real estate of W. W. Corbett, of Rose township, in the county of Jefferson, be and the same is hereby annexed to the borough of Brookville, in the same county, for school purposes;*

## LAWS OF PENNSYLVANIA,

and the said W. W. Corbett, for such purposes, shall be entitled to all the rights and privileges of a citizen of said borough.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 335.

## A SUPPLEMENT

To the act of March thirtieth, eighteen hundred and sixty, for the Protection of Persons navigating the Allegheny and Monongahela rivers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second section of an act, entitled "An Act for the protection of persons navigating the Allegheny and Monongahela rivers," approved March thirtieth, eighteen hundred and sixty, be and the same is hereby extended to include all bridge companies between the city of Pittsburg and Brownsville, on the Monongahela river: Provided, That the bridge companies above Elizabethtown, on said river, shall only be required to keep lights on the two piers, one on each side of the main channel, where boats pass.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 336.

## AN ACT

Extending the provisions of certain acts of Assembly relative to Selecting Sites for School Houses in Chester and Delaware counties, to Pike, Westmoreland, Crawford, Wayne, Erie and Fayette counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to authorize the school directors of Chester and Delaware counties to select sites for school houses," passed May the eighth, Anno Domini one thousand eight hundred and fifty-four, and the provisions of the supplement thereto, passed the fifth day of April, Anno Domini one thousand eight hundred and sixty, be and the same are hereby extended to the counties of Pike, Westmoreland, Crawford, Wayne, Erie and Fayette.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 337.

## AN ACT

For the protection of Insectivorous Birds and the preservation of Game in the counties of Berks and Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any person in the counties of Berks and Lebanon to shoot, kill, or in any way destroy any robin, king bird, blue bird, swallow, martin, or other insectivorous bird, at any season of the year, or at any time or season of any year thereafter, under the penalty of two dollars for each and every offence. Killing of insectivorous birds prohibited.

SECTION 2. That from and after the passage of this act, no person shall shoot, kill or otherwise destroy, in said counties of

Berks and Lebanon, any woodcock or squirrel, between the first day of January and the fourth day of July, or any pheasant, plover, flicker, lark, dove or woodpecker, between the first day of January and the first day of September, or any partridge or rabbit, between the first day of January and the fifteenth day of October, in the present year, and in each and every year thereafter, under the penalty of five dollars for each and every offence.

Penalty for buying out of season.

SECTION 3. That no person shall have in his or her possession, or buy or cause to be bought, or carry out of said counties, for the purpose of supplying any private or public house or market, any pheasant, partridge, woodcock, plover, flicker, lark, dove, woodpecker, rabbit or squirrel, unless the same shall have been taken or shot in the proper season, as provided for in this act, under a penalty of five dollars for each and every offence.

For destroying eggs or nests.

SECTION 4. That no person shall, at any time, wilfully destroy the eggs or nest of any of the birds mentioned in the first and second sections of this act, within said counties, under a penalty of two dollars for each and every offence.

Possession to be sufficient evidence.

SECTION 5. That the possession, by any person in said counties, of any of the birds mentioned or referred to in the first section of this act, shot, killed or otherwise destroyed, or of any of the birds or animals mentioned in the second section of this act, shot, killed or otherwise destroyed out of season, as aforesaid, shall be sufficient and competent evidence upon which to convict under this act.

Penalty for offending against this act.

SECTION 6. That any person offending against any of the provisions of this act, and being thereof convicted before any alderman or justice of the peace for the counties aforesaid, either by confession of the party so offending, or by view of any of said aldermen or justices, or by the oath or affirmation of one or more witnesses, shall for every such offence forfeit the sum or fine attached to the same, one-half to the use of the school district in which the offence may be prosecuted, and the other half to the use of the informer, which forfeiture shall be levied by distress and sale of the offender's goods and chattels; and for want of such distress, if the offender shall refuse to pay the said forfeiture, he shall be committed to prison for the space of two days, for each and every offence, without bail or mainprise: *Provided however*, That such conviction shall take place within thirty days after the commission of the offence.

Proviso.

Construction.

SECTION 7. That this act shall not interfere with any existing law or laws to prevent trespassing, the firing of guns near public highways, or sporting or hunting on Sunday.

Repeal.

SECTION 8. That all acts or parts of acts conflicting with the provisions of this act, be and the same are hereby repealed.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 338.

A N A C T

To alter and amend the Charter of Saint Peter's Church, of Stouchsburg, Berks county.

WHEREAS, A charter was granted to the said church, by an *Preamble.* act of the general assembly of the commonwealth of Pennsylvania, approved the third day of May, Anno Domini one thousand eight hundred and fifty :

*And whereas,* Difficulties have occurred and may again occur, by which the intention and object of the original founders of the said church may be frustrated ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Diehl, Benjamin Eckert, Edward G. Fisher and Samuel Reed, trustees of the said Saint Peter's church, and their successors in office, be and are hereby declared and constituted a body politic and corporate, in law, under the name, style and *Name.* title of Saint Peter's church of Stouchsburg.

SECTION 2. That the said corporation, by the same name and *Powers.* style, shall have perpetual succession and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere, and shall be able and capable in law and equity, to take, purchase, hold and receive to them and their successors, for the use of the said corporation, lands, tenements, choses in action, goods and chattels of whatever kind, nature or quality, real personal or mixed, which now are, or hereafter shall become the property of said corporation, or be held for their use, by gift, grant, bargain, sale, conveyance, devise or bequest, from any person capable of making the same, and to grant, bargain, sell, mortgage, improve or dispose of the same, for the use and benefit of the said corporation : *Provided,* That the yearly value *Proviso.* or income of the said estate shall not at any time exceed twenty-five hundred dollars.

SECTION 3. All *bona fide* engagements entered into, and all liabilities contracted heretofore, by individuals or former trustees, *Debts contracted by former trustees.* for the proper debts of the said church, or for money borrowed for its use and benefit and by its authority, shall, immediately after the enrolling hereof, be held and deemed the debts of the body politic and corporate herein created, which shall be liable therefor in its corporate capacity and property ; and all moneys now due and owing to the said church, shall be taken and deemed to be moneys due and owing to said corporation.

SECTION 4. The business of said corporation shall be conducted by four trustees, three of whom shall be a quorum ; the said trustees shall choose from among their number a president, and appoint a secretary and treasurer from the members of said corporation, qualified to vote for trustees, as is hereinafter provided ; the secretary shall keep true and correct minutes of the *Business.*

proceedings of the trustees, and the treasurer shall receive and disburse and account for all moneys that may come into his hands, belonging to the said corporation, and shall, if required by the trustees, give security for the faithful performance of the trust reposed in him, and shall have his accounts annually settled by the trustees, to be laid before and approved by the corporation at the annual election; the said secretary and treasurer, on going out of office, shall deliver up to their successors all books, papers, vouchers, et cetera, belonging to, or affecting the said corporation.

**Election of trustees.**

SECTION 5. The trustees now in office shall serve out the time for which they have been elected; the election for trustees, as heretofore, shall be held at the said church on the last Saturday in December annually.

**Number of trustees to be elected by the congregations contributing.**

SECTION 6. The said Saint Peter's church edifice having been erected at the joint labor and expense of the members of the following named congregations, to wit: The German Reformed congregation of Jackson township, Lebanon county; Christ church, Lutheran congregation, and Zion's church, also Lutheran congregation, in Marion township, Berks county, for their joint use, benefit and convenience, two of the trustees shall be elected by the members of the corporation attached to said German Reformed congregation of Jackson township, Lebanon county, and two by the members of the corporation attached to said Christ church and Zion's church, who shall jointly elect one trustee from each of said congregations, and if any vacancy occurs in the said board of trustees by death, removal, or otherwise, the surviving trustees of each denomination, as aforesaid, shall have power to fill the said vacancies, by appointment, from the congregation from which the vacancy occurred, said appointee being qualified as is hereinafter provided, and shall serve until the next annual election, when the vacancy shall be filled by election as aforesaid; the said trustees to be elected for two years, as the terms of the present trustees expire; all elections to be by ballot.

**Vacancies.**

**Qualifications.**

SECTION 7. No person shall be eligible as trustee of this corporation unless he is a citizen of this commonwealth, and a regular communicant member of the said German Reformed congregation of Jackson township, Lebanon county, of good standing, and a contributing member of this corporation; and on the part of the Lutherans, no person shall be eligible as trustee unless he is a citizen of this commonwealth, and a regular communicant member in the church to which he is attached, in good standing, and a contributing member of this corporation.

**Membership.**

SECTION 8. Any male member of any of the aforesaid three congregations may become a member of this corporation, by making application to the board of trustees, or any member of the said board, and have his name enrolled and pay his annual contribution, which shall not be less than twenty-five cents; and said contribution having been paid six months previous to the election of trustee, shall be entitled to vote for the trustee of the same denomination with himself: *Provided however*, That in case the said trustees should neglect to call upon any person who had been a member and had paid his contribution the previous year, shall not, in consequence of such neglect, be barred

**Proviso.**

from voting for the trustee of his denomination at the next election: *Provided*, He pays his annual contribution previous to his offering to vote: *Provided further*, That any person, being a member of the German Reformed or Lutheran church, of good standing, but being attached to some other congregation in the neighborhood, but residing in Stouchsburg, or in the immediate vicinity of the said Saint Peter's church, shall not be barred of becoming a member of this corporation, and shall be entitled to vote at any election, by paying or contributing to the support of the said church, annually, a sum not less than twenty-five cents, which must have been paid six months previous to any election such person shall offer to vote: *And provided further*, That any member of any other denomination, by paying or contributing, annually, as aforesaid, shall have and enjoy all the privileges common to all the members of this corporation, except the right to vote.

Proviso.

Proviso.

SECTION 9. The said Saint Peter's church edifice is not intended, and the members of this corporation are forever prohibited from organizing or establishing a distinct and separate congregation, either German Reformed or Lutheran, or of any other denomination, nor shall any minister be employed, at any regular or fixed salary; but said edifice shall be used for the purposes hereinafter named, to wit: The ministers of the within

Prohibition.

named three congregations shall, as often as they may find it convenient to do so, hold service in the said church edifice by turns, not interfering with each other as to time and hour of meeting; and in case that any other German Reformed or Lutheran minister desires to preach in said church, his friends shall make application to the board of trustees for permission; if a German Reformed, the two trustees of that denomination may grant permission, if no previous engagement has been made, as to time; if a Lutheran, the two trustees of that denomination may grant permission, if no previous engagement has been made, as to time; and in case that either of the said two trustees cannot agree upon the propriety of granting permission, the matter shall be determined by a majority of all the trustees; and in case that application is made for a minister of any other denomination of christians, the majority of the board of trustees shall be necessary to grant permission to preach in said church. The said church edifice shall further be used, if applied for, for the meetings of conference, or classis, and, by the permission of the trustees, for lectures, school exhibitions, concerts, teachers' county institutes, and for the accommodation of the Sunday school of Stouchsburg.

Ministers and meetings.

SECTION 10. The president of the board of trustees shall call meetings of the board at the request of one member of the board or six members of the corporation; and he shall call meetings of the corporation at the request of any two members of the board or any ten members of the corporation. He shall give notice of the annual election for trustees, either from the pulpit or some other public manner, at least ten days previous to such election. He shall preside at all meetings of the board of trustees or of the corporation; and in his absence, a president *pro tem.* may be appointed; the said board of trustees, and their successors, shall have full power to pass and enforce

Duties of the president of the board of trustees



**By-laws.** such by-laws and ordinances, for their own government and for the regulation and transaction of business of the corporation, as shall be sanctioned by the members of the corporation qualified to vote, who may be present at a meeting called for that purpose; the majority of the members present to decide all questions brought up: *Provided*, Such by-laws and ordinances shall not be contrary to this charter, or inconsistent with the constitution of the United States and the laws of this commonwealth.

**Misnomer.** SECTION 11. No misnomer of said corporation shall defeat any intended gift, grant, conveyance, devise or bequest thereto, if the intent shall sufficiently appear therein; and in case the corporation neglect to hold the annual election on the day specified in the fifth section of this act, the said corporation shall, in consequence of such neglect, not be dissolved, but the trustees may appoint any subsequent time for holding said election, giving due notice of the time of holding said election.

**Contributions.** SECTION 12. The said board of trustees shall procure a book, or record, in which the names of the members of the corporation shall be written, in alphabetical order, with the amount each contributed, and the time when paid, and keep a separate list of these contributing members not qualified to vote. It is hereby made the duty of the said trustees, annually, between the last Saturday of December and the last Saturday in June, of each year, to call upon every member of the corporation for his annual contribution; and all those refusing or neglecting to pay their contribution, shall forfeit their membership and be stricken from the roll.

**Reservation.** SECTION 13. The legislature hereby reserves the right to alter, amend or annul the charter hereby granted, if, in their opinion, the same is necessary; and the charter granted and approved on the third day of May, Anno Domini one thousand eight hundred and fifty, be and the same is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 339.

## AN ACT

Establishing a Ferry across the Allegheny river near M'Crae's run, in Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John M. Clapp, his heirs and assigns, shall have the right and Ferry authorised and privilege, at his or their own proper cost and charges, to make good and convenient landings on each side of the Allegheny river, at or near Martin's or M'Crae's run, in President township, and county of Venango, and of opening of roads of the width of forty feet, from such landings to the public roads now or hereafter to be laid on each side of the Allegheny river; and also, the right and privilege of erecting posts on any land or lands contiguous to or adjoining said landings, and to extend therefrom and across said river Allegheny a rope, chain or wire, in order to facilitate the crossing said stream: *Provided,* That the said rope, chain or wire shall be so extended as not Provide. to interfere with or obstruct the ascent or descent of craft navigating said river: *Provided also,* That the said John M. Clapp, Provide. his heirs and assigns, shall pay to the owner or owners of said land or lands on which the before mentioned posts may be erected, all damages which may accrue to said owners in consequence thereof, which said damages shall be assessed by a jury of three persons, appointed by the court of common pleas of said Venango county; and their report and proceedings shall be the same in every respect as in the case of opening roads under existing laws: *Provided also,* That nothing herein contained shall be so Provide. construed as to prevent, at any time, the erection of a bridge over the said river at or near said ferry.

SECTION 2. The said John M. Clapp, his heirs and assigns, To be kept in good order. shall keep good and substantial boats and flats and careful ferry-men, who shall constantly, as occasion may require, attend for the purpose of transporting travelers and others across the said river; and on the failure thereof, unless prevented by some unavoidable occurrence, he or they shall forfeit and pay a fine of Penalty for neglect of duty. five dollars, besides the actual damage done to any person who shall suffer detention therefrom, and shall sue for the same, within ten days thereafter, before any justice of the peace within the township of President, in the said county of Venango.

SECTION 3. The said J. M. Clapp, his heirs and assigns, for Tolls. keeping and maintaining the said landings and ferry, as aforesaid, shall receive a compensation from persons passing over said river, at such ferry, at the following rates, to wit: For each foot person, five cents; for each person and horse, ten cents; for each one-horse carriage, eighteen and three quarter cents; for each two-horse carriage or wagon, twenty-five cents; for each four-horse wagon, thirty-seven and a-half cents; for each

additional horse, five cents; for each head of horned or neat cattle, led or driven, three cents; for each head of sheep or swine, led or driven, one cent; for each yoke of oxen, ten cents.

Injury to boats,  
&c.

SECTION 4. If any person or persons shall wilfully pull down, cut, break, or in any manner injure or destroy any posts, ropes, wire, chain, boats or other property belonging to the said ferry, he, she or they, so offending, shall each and every of them forfeit and pay to the said proprietor or proprietors, the sum of fifteen dollars, in addition to all damages sustained by the said proprietor or proprietors, to be recovered as debts of like amounts are by law recoverable.

Rates of ferriage,  
how reduced or  
raised.

SECTION 5. That at any time when twenty or more citizens shall petition the court of quarter sessions in the county of Venango, setting forth that they have just reason to believe that the rates of ferriage are too high and ought to be reduced, or too low and ought to be raised, it shall be the duty of said court to lay the same before the grand jury of the said county, who are hereby authorized and required to hear the parties, and if, in the opinion of a majority of them, the rates are too high or too low, they shall reduce or raise the same, in proportion as they may deem equitable and just: *Provided also*, That the aforesaid ferry shall be subject to such other rules and regulations as the court of quarter sessions may direct.

Proviso.

Prohibition.

SECTION 6. That no person or persons shall be permitted to keep a public ferry within one mile above or below said ferry.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 340.

## A N A C T

To repeal certain Road Laws in Liberty township, Susquehanna county, and to revive the General Road Laws of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act extending the provisions of the Lenox road law, so called, approved the third day of March, one thousand eight hundred and forty-seven, to the township of Liberty, in the county of Susquehanna, be and the same is hereby repealed,*

and that the general road laws of this commonwealth be hereby revived and extended to said township: *Provided*, That from and after the passage of this act the supervisors elected in said township, shall have all the powers and discharge all the duties imposed and required by the general road laws of this commonwealth, until their successors in office be duly chosen.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 341.

## A SUPPLEMENT

To an act to authorize the Managers of the Indiana and Ebensburg Turnpike to collect Tolls for certain purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act to authorize the Indiana and Ebensburg turnpike to collect tolls for certain purposes," approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, authorizing said company to collect tolls at the toll-gate near Indiana, known as Bell's toll-gate, the time is hereby extended for three years from and after the expiration of said term.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 342.

## AN ACT

To perfect the division of the township of Union, in the county of Fayette.

## Preamble.

WHEREAS, By act of assembly, approved the eleventh day of March, one thousand eight hundred and fifty-one, the township aforesaid was divided into two election districts, to be called North and South Union, and by the thirteenth section of an act of assembly, approved the second day of April, one thousand eight hundred and fifty-two, said election districts were made separate school districts, and under this incomplete division of said township, numerous irregularities and inconveniences have arisen, justices of the peace, assessors and other township officers have been elected in each division, taxes laid and collectors appointed in each, as if they had been, in all respects, distinct townships; therefore,

Division into two townships

line.

Names

Municipal and assessment

Previous.

Supervisors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the township of Union, in the county of Fayette, be and the same hereby is erected, for all purposes, into two separate townships, the separating line of which shall be the National or Cumberland road; all of said township, north of said line, shall be the township of North Union, and all of said township, south of said line, shall be the township of South Union.

SECTION 2. *And be it further enacted by the authority aforesaid,* That all elections of township officers heretofore held, and all assessments of taxes heretofore made in the said separate divisions of said township, as if said divisions had really been separate townships, be and the same are hereby declared to be good and valid: *Provided,* The same shall have been in other respects regularly and lawfully held and made.

SECTION 3. That hereafter each of said townships of North and South Union shall elect two supervisors of roads.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 343.

## A N A C T

To facilitate the Collection of Debts due the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever in the opinion of the auditor general or attorney general, the interests of the commonwealth require it, they or either of them shall have power to employ the services of resident attorneys, to assist in the prosecution and trial of causes and the prosecution of claims, for which services such reasonable compensation as the circumstances will justify, or as may have been agreed upon, shall be allowed by the auditor general.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 344.

## A FURTHER SUPPLEMENT

To the act incorporating the Pennsylvania Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for commencing and completing the extension of the railroad of the Pennsylvania coal company, as authorized, be and the same is hereby extended for a further period of five years; and in case of the construction of the said extension, with the New York and Erie railroad, at some point in the county of Pike, it shall be lawful for said company to lease to the New York and Erie railroad company, or to the Erie railway company, for a term of years, that portion of the railroad so extended, subject to the provisions, privileges, powers, limitations and restrictions, contained in the act providing for such extension, entitled "A further supplement to the act incorporating*

the Pennsylvania coal company," approved the fifteenth day of March, Anno Domini one thousand eight hundred and fifty-three.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 345.

A FURTHER SUPPLEMENT

To the act incorporating the Donaldson Improvement and Railroad Company, formerly the Eagle Iron Company, approved the fifth day of May, Anno Domini one thousand eight hundred and forty-one, and the several supplements thereto.

- Certain provisions extended.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions in the second section of the supplement to the act incorporating the Donaldson improvement and railroad company, et cetera, which was approved the fifteenth day of March, Anno Domini, one thousand eight hundred and fifty-five, shall be extended so as to make all lands acquired by said company, within ten years thereafter, subject to the lien of the mortgage authorized by said supplements: *Provided,* That before such land acquired after the date of this act shall be subject to said lien as aforesaid, the shareholders of said company shall, at a special meeting, direct that said lands, so acquired as aforesaid, shall be held by said company, subject to the lien of said mortgage as aforesaid.
- Proviso.**
- Additional stock authorized.** SECTION 2. That the said company be and is hereby authorized to issue, in addition to the stock which it has already been authorized to issue under the provisions of its existing charter, eight thousand shares of stock, for the purpose of sinking shafts, slopes, erecting necessary machinery, building houses upon these lands, in order to the development of the coal therein, and for the purpose of paying, purchasing, extinguishing any obligations or existing liabilities of said company, and for other purposes, each share to represent and entitle the holders thereof to twenty-five dollars on the capital stock of said company; and the said corporation may sell and dispose of the said additional stock, or any part of the same, in the market, for the best price
- Purposes of.**
- Sale.**

that can be gotten for the same; and the said additional stock so issued shall be entitled to a preference over all other stock of the said company, in every future dividend of profits which may be declared by said company, until the holders of such additional stock shall have been paid from the funds applicable to the payment of such dividends, not exceeding eight per cent. nor less than six per cent. on the amount of capital stock of said company, represented by said shares of additional stock so held by them respectively. To be entitled to preference in dividends.

SECTION 3. That the act of assembly, approved the twenty-second day of April, one thousand eight hundred and fifty-six, entitled "An Act to repeal certain acts of assembly upon non-payment of the enrolment tax," shall not apply to an act supplemental to the charter of the Donaldson improvement and railroad company, formerly the Eagle iron company, approved the thirteenth day of April, one thousand eight hundred and fifty-three: *Provided*, That the said company shall have paid the enrolment tax on said act, within twenty days after the passage of this supplement; and the holders of the other stock of the said company shall not be entitled to participate in any future dividends out of the profits of said company, until the holders of said additional stock have been paid from the funds applicable to such dividends, not exceeding eight per cent. per annum on the amount of the capital stock of the said company, represented by the said additional stock so held by them respectively: *Provided*, That nothing herein contained shall be construed to give to the holders of said additional stock any preference over the creditors of said corporation, whether the debts due to such creditors have been already or may hereafter be contracted: *And provided further*, That the holders of said additional stock shall have the privilege of converting the said stock, so held by them, into common stock of the said company, and at any time after the passage of this act. Enrolment tax.

SECTION 4. That this act shall not take effect until it shall have been accepted by a majority in interest of the stockholders of said company, present at a meeting called for the purpose, after due notice to the several stockholders, published in two newspapers in Philadelphia and one in Schuylkill county, ten days prior to the meeting. Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one. When to take effect.

A. G. CURTIN.



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No. 347.

## AN ACT

relative to the Philadelphia, Germantown and Norristown Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized and required to open and re-adjust the dividend account settled by them on the third day of August, one thousand eight hundred and fifty-eight, against the Philadelphia, Germantown and Norristown railroad company; and if, upon examination, it shall be found that the said company has paid into the treasury of this commonwealth the full amount of taxes assessed upon the capital stock of the company, under the thirty-third section of an act approved April twenty-ninth, one thousand eight hundred and forty-four, entitled "An Act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company," then and in that event it shall be the duty of the auditor general and state treasurer to cancel the balance reported by them as due to the commonwealth from the said company by the settlement of the third day of August, one thousand eight hundred and fifty-eight aforesaid: *Provided,* That nothing in this act contained shall authorize the said Philadelphia, Germantown and Norristown railroad company to claim from the commonwealth any sum paid in excess of the amount due upon the capital stock as aforesaid: *And provided further,* That the said company shall first pay all costs which have accrued in any legal proceedings instituted by the commonwealth upon the above mentioned settlement.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 348.

## A SUPPLEMENT

To an act to incorporate the North Pennsylvania Railroad Company, approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of a further supplement to an act, entitled "An Act to incorporate the Lackawanna and Bloomsburg railroad company," approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-six, be and the same is hereby extended to the North Pennsylvania railroad company, as fully and effectually as though the said North Pennsylvania railroad company had been originally named and referred to in said supplement: *Provided,* That the provisions of this supplement shall not apply to coal or iron, or other ores, transported over said road.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 349.

## AN ACT

Legalizing certain Dockets of the Justices of the Peace of the borough of Brookville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the dockets heretofore kept by the justices of the peace of the borough of Brookville, whether they contain the general business of said justices, or only special or individual cases, shall be good and valid in law for all purposes whatever: *Provided,* That this act shall not affect any case now pending in

the court of common pleas of Jefferson county, to strike off or reverse any judgment from or in said dockets; but any such case shall be proceeded in to final judgment, as though this act had not passed.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 350.

# AN ACT

To ratify the Contract between the Philadelphia and Lancaster Turnpike Road Company and the borough of Downingtown, in Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the agreement made and entered into between the Philadelphia and Lancaster turnpike road company, of the one part, and the borough of Downingtown, in Chester county, of the other part, bearing date July twenty-second, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby ratified, confirmed and made valid in law, to all intents and purposes whatsoever, and that the said borough shall have and possess all the rights and privileges which the said contract was intended to confer upon it, and be liable to all the responsibilities which said contract was intended to impose.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 351.

## AN ACT

To repeal an act providing for Repairing the Susquehanna and Tioga Turnpike Road, in the counties of Columbia, Luzerne and Sullivan, and to subject said road to the control of the Supervisors of the townships in which it is located.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, passed the ninth day of April, eighteen hundred and fifty-six, entitled "An Act providing for repairing the Susquehanna and Tioga turnpike road, in the counties of Columbia, Luzerne and Sullivan," be and the same is hereby repealed, and that henceforth the said road shall be subject to the laws relating to roads and highways in the several counties through which it is located, and subject to the control of the supervisors of the several townships in said counties, through which the said road passes, in the same manner as the other roads and highways of said townships.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 352.

## AN ACT

To prevent Fishing in Heed's creek, Chestnut Hill township, Monroe county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, fishing with hook and line, seine or any other manner whatever, in a certain creek situated in Chestnut Hill township, Monroe county, commonly called Heed's creek, between its spring, or head, and the point where Sugar Hollow creek empties into said creek, is hereby

Fishing prohibited for three years.

prohibited, from and after the passage of this act, for a term of three years.

SECTION 2. Every person offending against the provisions of this act shall be deemed guilty of a misdemeanor, and shall, on conviction thereof before any justice of the peace in said county of Monroe aforesaid, shall forfeit and pay for every such offence the sum of ten dollars, to be collected as fines of like amount are usually collected, one-fifth part thereof to go to the informer and the balance to the school fund of said township of Chestnut Hill; and for want of sufficient effects to defray said fine and costs, that the said offender shall be committed to the county jail for a period of ten days.

Penalty for  
offending against  
this act.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 353.

## A SUPPLEMENT

To an act relating to Boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the thirtieth section of an act, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," shall not be construed to mean that the petitioners, owners of lands and out-lots lying adjacent to boroughs, and wishing to be connected with said borough, shall be resident on said lands or out-lots, so far as is applicable to the borough of New Alexandria, county of Westmoreland.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 354.

## AN ACT

To authorize the Commissioners of Clarion and Armstrong counties to erect a Bridge over the Red Bank creek.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the counties of Clarion and Armstrong be and are hereby authorized to contract for the erection of a bridge over the Red Bank creek, at or near Maysville, in the county of Clarion, one-half of the expense of erecting the same to be paid by the county of Clarion, and one-half by the county of Armstrong, to be drawn out of the treasuries of said counties, by orders drawn by the commissioners in the usual manner.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 355.

## A SUPPLEMENT

To an act to incorporate the Gap Mining Company of Lancaster county, passed the eighth day of April, Anno Domini one thousand eight hundred and fifty-one.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the Gap mining company is hereby authorized to increase the capital of the said company from one hundred and twenty thousand dollars to five hundred thousand dollars, to be divided into such number of shares as the said company shall deem expedient.

Increase of capital.

Additional privileges conferred.

**SECTION 2.** That the said company shall have and enjoy the privilege of smelting and refining the ores taken from the mines of the said company, and of extracting the metals therefrom and preparing the same for sale.

SECTION 3. That this act shall continue in force for the space *Limitation.*  
of twenty years from the date of the passage of this act.

SECTION 4. That this corporation shall pay into the treasury *Bonus.*  
of the commonwealth a bonus of one-half of one per centum on  
the capital stock hereby authorized, or hereafter created, in four  
equal annual instalments, and such other tax as is now or may  
hereafter be imposed by law on corporations; and the stock-  
holders of said company shall be individually liable for all debts *Individual lia-*  
due mechanics, workmen and laborers employed by said com- *bility.*  
pany, and for all materials and provisions furnished to said com-  
pany, to be sued for and collected as is provided in the twelfth,  
thirteenth and fourteenth sections of the act incorporating the  
Lackawanna coal and iron company, approved the fifth day of  
April, one thousand eight hundred and fifty-three.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one  
thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 356.

## A FURTHER SUPPLEMENT

To an act to incorporate Mount Union Cemetery, in Allegheny county,  
approved the fourteenth day of April, one thousand eight hundred and  
forty-six.

SECTION 1. *Be it enacted by the Senate and House of Represen-*  
*tatives of the Commonwealth of Pennsylvania in General Assembly*  
*met, and it is hereby enacted by the authority of the same,* That  
from and after the passage of this supplement, John Alston, *Corporators.*  
Andrew Davidson, William M'Kendry, Addison Lysle, Thomas  
M'Cance, William Davidson, Robert Fairman, Robert Stewart,  
Samuel M'Ginness, John Thompson, Doctor James B. Herron,  
James Thorn, and James M'Catcheon, and their successors,  
shall be corporators of Mount Union cemetery, in the county  
of Allegheny.

SECTION 2. That the said corporators shall at least once in *Vacancies.*  
every year, choose by ballot, from among the lot owners in  
said cemetery, suitable persons to fill all vacancies that may  
occur, and in like manner may from time to time increase and  
add to their number, from said lot owners, so that the number *Number of cor-*  
of corporators shall never be less than ten, nor more than *porators.*  
twenty-five; and they shall have full power to make and en-



- By-laws.** force all such by-laws, rules and regulations, not contrary to the constitution and laws of the United States or of this commonwealth, as may be deemed necessary for the proper government of the corporation, its officers and affairs.
- Election of trustees.** SECTION 3. That the said corporators shall, on the first Tuesday in May next, and annually thereafter, at such time and place as they may determine, elect five of their number to serve as trustees of the said cemetery, for one year and until their successors are duly chosen.
- Officers and their duties.** SECTION 4. That the said trustees shall elect a president, secretary and treasurer, and shall have the entire management of the business affairs of said corporation, subject to such by-laws, rules and regulations as may be adopted by the corporators or by the said trustees, with the consent and approbation of the corporators. They shall keep a fair and full record of all their proceedings, and make report thereof, with a statement of the financial condition of the corporation at each annual meeting of the corporators, and as much oftener as may be required by a majority of the corporators.
- Trustees may purchase additional lands.** SECTION 5. That the trustees of the said cemetery be and they are hereby authorized and empowered to purchase additional lands, not exceeding twenty acres, adjoining the present cemetery grounds, to be held and used as other lands of said corporation, for purposes of sepulture alone.
- Income, how applied.** SECTION 6. That so much of the funds and income of the said corporation as may be necessary, shall be applied to the payment of purchase money and the improvement of the cemetery grounds; and all the residue of said funds and income, whether arising from the sale of lots or otherwise, shall be invested, by the trustees, in ground-rents, mortgages on real estate in the county of Allegheny, and other good and safe securities, as a permanent fund, the income of which shall be used for the perpetual maintenance of the cemetery in proper order and security.
- Grants, bequests, &c.** SECTION 7. That the said corporation may take and hold any grant, donation or bequest, upon trust, to apply the same or the income thereof for the improvement or embellishment of said cemetery, or for the erection, repair, preservation or renewal of any tomb, monument, fence, railing or other structure, or for the planting and cultivation of trees, shrubbery, flowers or plants, in or around any cemetery lot, or for improving the cemetery grounds in any manner consistent with the design and purpose of the corporation, according to the terms of such grant, donation or bequest.
- Trustees authorized to invest donations, &c.** SECTION 8. That all grants, donations and bequests of money which shall be made in accordance with the provisions of the foregoing section, the annual interest of which only is directed to be applied to any of the purposes mentioned in said section, shall be invested by the trustees in the manner hereinbefore directed; but they shall not be required to make separate investments of each sum so given; and the average income derived from all funds of the like nature, shall be divided and apportioned, annually, to the credit of the lot or lots entitled thereto, and the same shall be expended in accordance with the direction or intention of the donor or grantor.

**SECTION 9.** That so much of the original act of incorporation **Repeal.** as is hereby altered or supplied, be and the same is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

**APPROVED**—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 357.

## AN ACT

To authorize the Welch Society, located in the city of Philadelphia, to sell and convey a certain lot of ground in West Philadelphia, commonly known as the Welch Burial Ground.

**WHEREAS**, John J. Griffith and Samuel Jenkins, the surviving **Preamble.** trustees named in a certain indenture, dated the twentieth day of February, Anno Domini one thousand eight hundred and ten, recorded at Philadelphia in deed book I C, number eight, page one hundred and fifteen, et cetera, by an indenture dated the twentieth day of September, Anno Domini one thousand eight hundred and thirty-four, recorded at Philadelphia in deed book A M, number fifty-two, page one thousand four hundred and seventy-two, et cetera, and granted and conveyed unto the Welch society, its successors and assigns, a certain lot or piece of ground, situate and being on the south side of Washington street, in the late village of Hamilton, West Philadelphia, now in the consolidated city of Philadelphia, being the lot marked in the general plan of the said village number three, containing in front on Washington street fifty feet, and in depth to Oak street two hundred and fourteen feet six inches, bounded on the north by Washington street, on the east by lot number five, on the south by Oak street, and the west by lot number one, with the appurtenances, to hold in trust for and as a burial place for the Welch of all religious denominations, their families and descendants forever:

*And whereas*, By the great increase of population and the growth and improvement of West Philadelphia, the said burial ground is now situated in the most prosperous and improving part of the city of Philadelphia, and the time is approaching when it may become unlawful to bury the dead within its limits; and inasmuch as the ground is greatly out of order and requires to be enclosed by a new wall and other improvements of a permanent nature made; therefore,

the Pennsylvania coal company," approved the fifteenth day of March, Anno Domini one thousand eight hundred and fifty-three.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 345.

A FURTHER SUPPLEMENT

To the act incorporating the Donaldson Improvement and Railroad Company, formerly the Eagle Iron Company, approved the fifth day of May, Anno Domini one thousand eight hundred and forty-one, and the several supplements thereto.

Certain provisions extended.

Proviso.

Additional stock authorized.

Purposes of.

Sale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions in the second section of the supplement to the act incorporating the Donaldson improvement and railroad company, et cetera, which was approved the fifteenth day of March, Anno Domini, one thousand eight hundred and fifty-five, shall be extended so as to make all lands acquired by said company, within ten years thereafter, subject to the lien of the mortgage authorized by said supplements: *Provided,* That before such land acquired after the date of this act shall be subject to said lien as aforesaid, the shareholders of said company shall, at a special meeting, direct that said lands, so acquired as aforesaid, shall be held by said company, subject to the lien of said mortgage as aforesaid.

SECTION 2. That the said company be and is hereby authorized to issue, in addition to the stock which it has already been authorized to issue under the provisions of its existing charter, eight thousand shares of stock, for the purpose of sinking shafts, slopes, erecting necessary machinery, building houses upon these lands, in order to the development of the coal therein, and for the purpose of paying, purchasing, extinguishing any obligations or existing liabilities of said company, and for other purposes, each share to represent and entitle the holders thereof to twenty-five dollars on the capital stock of said company; and the said corporation may sell and dispose of the said additional stock, or any part of the same, in the market, for the best price

that can be gotten for the same; and the said additional stock so issued shall be entitled to a preference over all other stock of the said company, in every future dividend of profits which may be declared by said company, until the holders of such additional stock shall have been paid from the funds applicable to the payment of such dividends, not exceeding eight per cent. nor less than six per cent. on the amount of capital stock of said company, represented by said shares of additional stock so held by them respectively.

To be entitled to preference in dividends.

Limitation.

SECTION 3. That the act of assembly, approved the twenty-second day of April, one thousand eight hundred and fifty-six, entitled "An Act to repeal certain acts of assembly upon non-payment of the enrolment tax," shall not apply to an act supplemental to the charter of the Donaldson improvement and railroad company, formerly the Eagle iron company, approved the thirteenth day of April, one thousand eight hundred and fifty-three: *Provided*, That the said company shall have paid the enrolment tax on said act, within twenty days after the passage of this supplement; and the holders of the other stock of the said company shall not be entitled to participate in any future dividends out of the profits of said company, until the holders of said additional stock have been paid from the funds applicable to such dividends, not exceeding eight per cent. per annum on the amount of the capital stock of the said company, represented by the said additional stock so held by them respectively: *Provided*, That nothing herein contained shall be construed to give to the holders of said additional stock any preference over the creditors of said corporation, whether the debts due to such creditors have been already or may hereafter be contracted: *And provided further*, That the holders of said additional stock shall have the privilege of converting the said stock, so held by them, into common stock of the said company, and at any time after the passage of this act.

Enrolment tax.

Proviso.

Proviso.

Proviso.

SECTION 4. That this act shall not take effect until it shall have been accepted by a majority in interest of the stockholders of said company, present at a meeting called for the purpose, after due notice to the several stockholders, published in two newspapers in Philadelphia and one in Schuylkill county, ten days prior to the meeting.

When to take effect.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 346.

## SUPPLEMENT

To an act to incorporate the town of Middleport. *Session of 1861*  
 borough, approved fourteenth April, Anno Domini one thousand and  
 hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Session assembled, and it is hereby enacted by the authority of the same* That

Charter amended

from and after the passage of this act the charter of incorporation of the borough of Middleport, in the county of Schuylkill, shall be so amended as to embrace within the corporate limits of said borough, in addition to the territory already included the territory embraced within the following boundaries to wit: Beginning at the south-east corner of the present borough; thence south eighteen degrees east one hundred feet to a post; thence south seventy-one degrees west three thousand one hundred feet to a post; thence north eighteen degrees east three thousand one hundred and twelve feet to a post; thence north seventy-one degrees east one thousand eight hundred and fifty feet to a post and stone the north-west corner of the present borough; and the said described territory shall be subject to all the laws and ordinances, and entitled to all the privileges of the said borough, as if the same had been included in the original act of incorporation.

Boundaries

Town council.

SECTION 2. That hereafter the board of town council shall consist of six qualified voters of said borough: *Provided*, That the present board of council, or a majority of them, are hereby authorized to fill the deficiency in said board, by appointment, until the next annual borough election, when there shall be elected two qualified voters of the said borough, who shall serve for two years, and two persons of like qualifications, who shall serve for three years; and annually thereafter there shall be elected two persons qualified as aforesaid, who shall serve for three years: *Provided further*, That the present board shall continue in office for the time for which they were respectively elected or appointed.

Proviso.

Proviso.

Chief burgess.

SECTION 3. That the chief burgess shall be president of the board of town council, and shall have the casting vote in all cases where the members present are equally divided, but not otherwise.

Repeal.

SECTION 4. That all acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

ROBT. M. PALMER,

Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 347.

## AN ACT

Relative to the Philadelphia, Germantown and Norristown Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized and required to open and re-adjust the dividend account settled by them on the third day of August, one thousand eight hundred and fifty-eight, against the Philadelphia, Germantown and Norristown railroad company; and if, upon examination, it shall be found that the said company has paid into the treasury of this commonwealth the full amount of taxes assessed upon the capital stock of the company, under the thirty-third section of an act approved April twenty-ninth, one thousand eight hundred and forty-four, entitled "An Act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company," then and in that event it shall be the duty of the auditor general and state treasurer to cancel the balance reported by them as due to the commonwealth from the said company by the settlement of the third day of August, one thousand eight hundred and fifty-eight aforesaid: *Provided,* That nothing in this act contained shall authorize the said Philadelphia, Germantown and Norristown railroad company to claim from the commonwealth any sum paid in excess of the amount due upon the capital stock as aforesaid: *And provided further,* That the said company shall first pay all costs which have accrued in any legal proceedings instituted by the commonwealth upon the above mentioned settlement.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 348.

## A SUPPLEMENT

To an act to incorporate the North Pennsylvania Railroad Company, approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-two.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of a further supplement to an act, entitled "An Act to incorporate the Lackawanna and Bloomsburg railroad company," approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-six, be and the same is hereby extended to the North Pennsylvania railroad company, as fully and effectually as though the said North Pennsylvania railroad company had been originally named and referred to in said supplement: Provided, That the provisions of this supplement shall not apply to coal or iron, or other ores, transported over said road.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 349.

## AN ACT

Legalizing certain Dockets of the Justices of the Peace of the borough of Brookville.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all the dockets heretofore kept by the justices of the peace of the borough of Brookville, whether they contain the general business of said justices, or only special or individual cases, shall be good and valid in law for all purposes whatever: Provided, That this act shall not affect any case now pending in*

the court of common pleas of Jefferson county, to strike off or reverse any judgment from or in said dockets; but any such case shall be proceeded in to final judgment, as though this act had not passed.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 350.

## AN ACT

To ratify the Contract between the Philadelphia and Lancaster Turnpike Road Company and the borough of Downingtown, in Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the agreement made and entered into between the Philadelphia and Lancaster turnpike road company, of the one part, and the borough of Downingtown, in Chester county, of the other part, bearing date July twenty-second, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby ratified, confirmed and made valid in law, to all intents and purposes whatsoever, and that the said borough shall have and possess all the rights and privileges which the said contract was intended to confer upon it, and be liable to all the responsibilities which said contract was intended to impose.*

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 351.

## AN ACT

To repeal an act providing for Repairing the Susquehanna and Tioga Turnpike Road, in the counties of Columbia, Luzerne and Sullivan, and to subject said road to the control of the Supervisors of the townships in which it is located.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of assembly, passed the ninth day of April, eighteen hundred and fifty-six, entitled "An Act providing for repairing the Susquehanna and Tioga turnpike road, in the counties of Columbia, Luzerne and Sullivan," be and the same is hereby repealed, and that henceforth the said road shall be subject to the laws relating to roads and highways in the several counties through which it is located, and subject to the control of the supervisors of the several townships in said counties, through which the said road passes, in the same manner as the other roads and highways of said townships.*

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 352.

## AN ACT

To prevent Fishing in Heed's creek, Chestnut Hill township, Monroe county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, fishing with hook and line, seine or any other manner whatever, in a certain creek situated in Chestnut Hill township, Monroe county, commonly called Heed's creek, between its spring, or head, and the point where Sugar Hollow creek empties into said creek, is hereby*

Fishing pro-  
hibited for three  
years.

prohibited, from and after the passage of this act, for a term of three years.

SECTION 2. Every person offending against the provisions of this act shall be deemed guilty of a misdemeanor, and shall, on conviction thereof before any justice of the peace in said county of Monroe aforesaid, shall forfeit and pay for every such offence the sum of ten dollars, to be collected as fines of like amount are usually collected, one-fifth part thereof to go to the informer and the balance to the school fund of said township of Chestnut Hill; and for want of sufficient effects to defray said fine and costs, that the said offender shall be committed to the county jail for a period of ten days.

Penalty for  
offending against  
this act.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 353.

## A SUPPLEMENT

To an act relating to Boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the thirtieth section of an act, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," shall not be construed to mean that the petitioners, owners of lands and out-lots lying adjacent to boroughs, and wishing to be connected with said borough, shall be resident on said lands or out-lots, so far as is applicable to the borough of New Alexandria, county of Westmoreland.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 342.

## A N A C T

To perfect the division of the township of Union, in the county of Fayette.

## Preamble.

WHEREAS, By act of assembly, approved the eleventh day of March, one thousand eight hundred and fifty-one, the township aforesaid was divided into two election districts, to be called North and South Union, and by the thirteenth section of an act of assembly, approved the second day of April, one thousand eight hundred and fifty-two, said election districts were made separate school districts, and under this incomplete division of said township, numerous irregularities and inconveniences have arisen, justices of the peace, assessors and other township officers have been elected in each division, taxes laid and collectors appointed in each, as if they had been, in all respects, distinct townships; therefore,

## Division into two townships.

## Line.

## Names.

## Elections and assessments.

## Proviso.

## Supervisors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the township of Union, in the county of Fayette, be and the same hereby is erected, for all purposes, into two separate townships, the separating line of which shall be the National or Cumberland road; all of said township, north of said line, shall be the township of North Union, and all of said township, south of said line, shall be the township of South Union.

SECTION 2. *And be it further enacted by the authority aforesaid,* That all elections of township officers heretofore held, and all assessments of taxes heretofore made in the said separate divisions of said township, as if said divisions had really been separate townships, be and the same are hereby declared to be good and valid: *Provided,* The same shall have been in other respects regularly and lawfully held and made.

SECTION 3. That hereafter each of said townships of North and South Union shall elect two supervisors of roads.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 343.

## A N A C T

To facilitate the Collection of Debts due the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever in the opinion of the auditor general or attorney general, the interests of the commonwealth require it, they or either of them shall have power to employ the services of resident attorneys, to assist in the prosecution and trial of causes and the prosecution of claims, for which services such reasonable compensation as the circumstances will justify, or as may have been agreed upon, shall be allowed by the auditor general.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 344.

## A FURTHER SUPPLEMENT

To the act incorporating the Pennsylvania Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for commencing and completing the extension of the railroal of the Pennsylvania coal company, as authorized, be and the same is hereby extended for a further period of five years; and in case of the construction of the said extension, with the New York and Erie railroad, at some point in the county of Pike, it shall be lawful for said company to lease to the New York and Erie railroad company, or to the Erie railway company, for a term of years, that portion of the railroad so extended, subject to the provisions, privileges, powers, limitations and restrictions, contained in the act providing for such extension, entitled "A further supplement to the act incorporating*

the Pennsylvania coal company," approved the fifteenth day of March, Anno Domini one thousand eight hundred and fifty-three.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

---

No. 345.

A FURTHER SUPPLEMENT

To the act incorporating the Donaldson Improvement and Railroad Company, formerly the Eagle Iron Company, approved the fifth day of May, Anno Domini one thousand eight hundred and forty-one, and the several supplements thereto.

Certain provisions extended.

Proviso.

Additional stock authorized.

Purposes of.

Sale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions in the second section of the supplement to the act incorporating the Donaldson improvement and railroad company, et cetera, which was approved the fifteenth day of March, Anno Domini, one thousand eight hundred and fifty-five, shall be extended so as to make all lands acquired by said company, within ten years thereafter, subject to the lien of the mortgage authorized by said supplements: *Provided,* That before such land acquired after the date of this act shall be subject to said lien as aforesaid, the shareholders of said company shall, at a special meeting, direct that said lands, so acquired as aforesaid, shall be held by said company, subject to the lien of said mortgage as aforesaid.

SECTION 2. That the said company be and is hereby authorized to issue, in addition to the stock which it has already been authorized to issue under the provisions of its existing charter, eight thousand shares of stock, for the purpose of sinking shafts, slopes, erecting necessary machinery, building houses upon these lands, in order to the development of the coal therein, and for the purpose of paying, purchasing, extinguishing any obligations or existing liabilities of said company, and for other purposes, each share to represent and entitle the holders thereof to twenty-five dollars on the capital stock of said company; and the said corporation may sell and dispose of the said additional stock, or any part of the same, in the market, for the best price

that can be gotten for the same; and the said additional stock so issued shall be entitled to a preference over all other stock of the said company, in every future dividend of profits which may be declared by said company, until the holders of such additional stock shall have been paid from the funds applicable to the payment of such dividends, not exceeding eight per cent. nor less than six per cent. on the amount of capital stock of said company, represented by said shares of additional stock so held by them respectively.

To be entitled to preference in dividends.

Limitation.

SECTION 3. That the act of assembly, approved the twenty-second day of April, one thousand eight hundred and fifty-six, entitled "An Act to repeal certain acts of assembly upon non-payment of the enrolment tax," shall not apply to an act supplemental to the charter of the Donaldson improvement and railroad company, formerly the Eagle iron company, approved the thirteenth day of April, one thousand eight hundred and fifty-three: *Provided*, That the said company shall have paid the enrolment tax on said act, within twenty days after the passage of this supplement; and the holders of the other stock of the said company shall not be entitled to participate in any future dividends out of the profits of said company, until the holders of said additional stock have been paid from the funds applicable to such dividends, not exceeding eight per cent. per annum on the amount of the capital stock of the said company, represented by the said additional stock so held by them respectively: *Provided*, That nothing herein contained shall be construed to give to the holders of said additional stock any preference over the creditors of said corporation, whether the debts due to such creditors have been already or may hereafter be contracted: *And provided further*, That the holders of said additional stock shall have the privilege of converting the said stock, so held by them, into common stock of the said company, and at any time after the passage of this act.

Enrolment tax.

Proviso.

Proviso.

Proviso.

SECTION 4. That this act shall not take effect until it shall have been accepted by a majority in interest of the stockholders of said company, present at a meeting called for the purpose, after due notice to the several stockholders, published in two newspapers in Philadelphia and one in Schuylkill county, ten days prior to the meeting.

When to take effect.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 346.

## SUPPLEMENT

To an act to incorporate the town of Middleport, Schuylkill county, into a borough, approved fourteenth April, Anno Domini one thousand eight hundred and fifty-nine.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the charter of incorporation of the borough of Middleport, in the county of Schuylkill, shall be so amended as to embrace within the corporate limits of said borough, in addition to the territory already included, the territory embraced within the following boundaries, to wit:

**Charter amended**      **Boundaries.**      Beginning at the south-east corner of the present borough; thence south eighteen degrees east one hundred feet to a post; thence south seventy-one degrees west three thousand nine hundred feet to a post; thence north eighteen degrees east three thousand one hundred and twelve feet to a post; thence north seventy-one degrees east one thousand eight hundred and fifty feet to a post and stone the north-west corner of the present borough; and the said described territory shall be subject to all the laws and ordinances, and entitled to all the privileges of the said borough, as if the same had been included in the original act of incorporation.

**Town council.**      **SECTION 2.** That hereafter the board of town council shall consist of six qualified voters of said borough: *Provided,* That the present board of council, or a majority of them, are hereby authorized to fill the deficiency in said board, by appointment, until the next annual borough election, when there shall be elected two qualified voters of the said borough, who shall serve for two years, and two persons of like qualifications, who shall serve for three years; and annually thereafter there shall be elected two persons qualified as aforesaid, who shall serve for three years: *Provided further,* That the present board shall continue in office for the time for which they were respectively elected or appointed.

**Proviso.**      **Proviso.**

**Chief burgess.**      **SECTION 3.** That the chief burgess shall be president of the board of town council, and shall have the casting vote in all cases where the members present are equally divided, but not otherwise.

**Repeal.**      **SECTION 4.** That all acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domin one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 347.

## A N A C T

Relative to the Philadelphia, Germantown and Norristown Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized and required to open and re-adjust the dividend account settled by them on the third day of August, one thousand eight hundred and fifty-eight, against the Philadelphia, Germantown and Norristown railroad company; and if, upon examination, it shall be found that the said company has paid into the treasury of this commonwealth the full amount of taxes assessed upon the capital stock of the company, under the thirty-third section of an act approved April twenty-ninth, one thousand eight hundred and forty-four, entitled "An Act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company," then and in that event it shall be the duty of the auditor general and state treasurer to cancel the balance reported by them as due to the commonwealth from the said company by the settlement of the third day of August, one thousand eight hundred and fifty-eight aforesaid: *Provided,* That nothing in this act contained shall authorize the said Philadelphia, Germantown and Norristown railroad company to claim from the commonwealth any sum paid in excess of the amount due upon the capital stock as aforesaid: *And provided further,* That the said company shall first pay all costs which have accrued in any legal proceedings instituted by the commonwealth upon the above mentioned settlement.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 348.

## A SUPPLEMENT

To an act to incorporate the North Pennsylvania Railroad Company, approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-two.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of a further supplement to an act, entitled "An Act to incorporate the Lackawanna and Bloomsburg railroad company," approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-six, be and the same is hereby extended to the North Pennsylvania railroad company, as fully and effectually as though the said North Pennsylvania railroad company had been originally named and referred to in said supplement: Provided, That the provisions of this supplement shall not apply to coal or iron, or other ores, transported over said road.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 349.

## AN ACT

Legalizing certain Dockets of the Justices of the Peace of the borough of Brookville.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all the dockets heretofore kept by the justices of the peace of the borough of Brookville, whether they contain the general business of said justices, or only special or individual cases, shall be good and valid in law for all purposes whatever: Provided, That this act shall not affect any case now pending in*

the court of common pleas of Jefferson county, to strike off or reverse any judgment from or in said dockets; but any such case shall be proceeded in to final judgment, as though this act had not passed.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 350.

## AN ACT

To ratify the Contract between the Philadelphia and Lancaster Turnpike Road Company and the borough of Downingtown, in Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the agreement made and entered into between the Philadelphia and Lancaster turnpike road company, of the one part, and the borough of Downingtown, in Chester county, of the other part, bearing date July twenty-second, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby ratified, confirmed and made valid in law, to all intents and purposes whatsoever, and that the said borough shall have and possess all the rights and privileges which the said contract was intended to confer upon it, and be liable to all the responsibilities which said contract was intended to impose.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 351.

## AN ACT

To repeal an act providing for Repairing the Susquehanna and Tioga Turnpike Road, in the counties of Columbia, Luzerne and Sullivan, and to subject said road to the control of the Supervisors of the townships in which it is located.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, passed the ninth day of April, eighteen hundred and fifty-six, entitled "An Act providing for repairing the Susquehanna and Tioga turnpike road, in the counties of Columbia, Luzerne and Sullivan," be and the same is hereby repealed, and that henceforth the said road shall be subject to the laws relating to roads and highways in the several counties through which it is located, and subject to the control of the supervisors of the several townships in said counties, through which the said road passes, in the same manner as the other roads and highways of said townships.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 352.

## AN ACT

To prevent Fishing in Heed's creek, Chestnut Hill township, Monroe county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, fishing with hook and line, seine or any other manner whatever, in a certain creek situated in Chestnut Hill township, Monroe county, commonly called Heed's creek, between its spring, or head, and the point where Sugar Hollow creek empties into said creek, is hereby

Fishing prohibited for three years.

prohibited, from and after the passage of this act, for a term of three years.

SECTION 2. Every person offending against the provisions of this act shall be deemed guilty of a misdemeanor, and shall, on conviction thereof before any justice of the peace in said county of Monroe aforesaid, shall forfeit and pay for every such offence the sum of ten dollars, to be collected as fines of like amount are usually collected, one-fifth part thereof to go to the informer and the balance to the school fund of said township of Chestnut Hill; and for want of sufficient effects to defray said fine and costs, that the said offender shall be committed to the county jail for a period of ten days.

Penalty for  
offending against  
this act.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 353.

## A SUPPLEMENT

To an act relating to Boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the thirtieth section of an act, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," shall not be construed to mean that the petitioners, owners of lands and out-lots lying adjacent to boroughs, and wishing to be connected with said borough, shall be resident on said lands or out-lots, so far as is applicable to the borough of New Alexandria, county of Westmoreland.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 354.

## AN ACT

To authorize the Commissioners of Clarion and Armstrong counties to erect a Bridge over the Red Bank creek.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the counties of Clarion and Armstrong be and are hereby authorized to contract for the erection of a bridge over the Red Bank creek, at or near Maysville, in the county of Clarion, one-half of the expense of erecting the same to be paid by the county of Clarion, and one-half by the county of Armstrong, to be drawn out of the treasuries of said counties, by orders drawn by the commissioners in the usual manner.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 355.

## A SUPPLEMENT

To an act to incorporate the Gap Mining Company of Lancaster county, passed the eighth day of April, Anno Domini one thousand eight hundred and fifty-one.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the Gap mining company is hereby authorized to increase the capital of the said company from one hundred and twenty thousand dollars to five hundred thousand dollars, to be divided into such number of shares as the said company shall deem expedient.

Increase of capital.

Additional privileges conferred.

**SECTION 2.** That the said company shall have and enjoy the privilege of smelting and refining the ores taken from the mines of the said company, and of extracting the metals therefrom and preparing the same for sale.

SECTION 3. That this act shall continue in force for the space *Limitation.*  
of twenty years from the date of the passage of this act.

SECTION 4. That this corporation shall pay into the treasury *Bonus.*  
of the commonwealth a bonus of one-half of one per centum on  
the capital stock hereby authorized, or hereafter created, in four  
equal annual instalments, and such other tax as is now or may  
hereafter be imposed by law on corporations; and the stock-  
holders of said company shall be individually liable for all debts *Individual lia-*  
due mechanics, workmen and laborers employed by said com-  
pany, and for all materials and provisions furnished to said com-  
pany, to be sued for and collected as is provided in the twelfth,  
thirteenth and fourteenth sections of the act incorporating the  
Lackawanna coal and iron company, approved the fifth day of  
April, one thousand eight hundred and fifty-three.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one  
thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 356.

## A FURTHER SUPPLEMENT

To an act to incorporate Mount Union Cemetery, in Allegheny county,  
approved the fourteenth day of April, one thousand eight hundred and  
forty-six.

SECTION 1. *Be it enacted by the Senate and House of Represen-*  
*tatives of the Commonwealth of Pennsylvania in General Assembly*  
*met, and it is hereby enacted by the authority of the same,* That  
from and after the passage of this supplement, John Alston, *Corporators.*  
Andrew Davidson, William M'Kendry, Addison Lysle, Thomas  
M'Cance, William Davidson, Robert Fairman, Robert Stewart,  
Samuel M'Ginness, John Thompson, Doctor James B. Herron,  
James Thorn, and James M'Catcheon, and their successors,  
shall be corporators of Mount Union cemetery, in the county  
of Allegheny.

SECTION 2. That the said corporators shall at least once in *Vacancies.*  
every year, choose by ballot, from among the lot owners in  
said cemetery, suitable persons to fill all vacancies that may  
occur, and in like manner may from time to time increase and  
add to their number, from said lot owners, so that the number *Number of cor-*  
of corporators shall never be less than ten, nor more than *porators.*  
twenty-five; and they shall have full power to make and en-

- By-laws.** force all such by-laws, rules and regulations, not contrary to the constitution and laws of the United States or of this commonwealth, as may be deemed necessary for the proper government of the corporation, its officers and affairs.
- Election of trustees.** SECTION 3. That the said corporators shall, on the first Tuesday in May next, and annually thereafter, at such time and place as they may determine, elect five of their number to serve as trustees of the said cemetery, for one year and until their successors are duly chosen.
- Officers and their duties.** SECTION 4. That the said trustees shall elect a president, secretary and treasurer, and shall have the entire management of the business affairs of said corporation, subject to such by-laws, rules and regulations as may be adopted by the corporators or by the said trustees, with the consent and approbation of the corporators. They shall keep a fair and full record of all their proceedings, and make report thereof, with a statement of the financial condition of the corporation at each annual meeting of the corporators, and as much oftener as may be required by a majority of the corporators.
- Trustees may purchase additional lands.** SECTION 5. That the trustees of the said cemetery be and they are hereby authorized and empowered to purchase additional lands, not exceeding twenty acres, adjoining the present cemetery grounds, to be held and used as other lands of said corporation, for purposes of sepulture alone.
- Income, how applied.** SECTION 6. That so much of the funds and income of the said corporation as may be necessary, shall be applied to the payment of purchase money and the improvement of the cemetery grounds; and all the residue of said funds and income, whether arising from the sale of lots or otherwise, shall be invested, by the trustees, in ground-rents, mortgages on real estate in the county of Allegheny, and other good and safe securities, as a permanent fund, the income of which shall be used for the perpetual maintenance of the cemetery in proper order and security.
- Grants, bequests, &c.** SECTION 7. That the said corporation may take and hold any grant, donation or bequest, upon trust, to apply the same or the income thereof for the improvement or embellishment of said cemetery, or for the erection, repair, preservation or renewal of any tomb, monument, fence, railing or other structure, or for the planting and cultivation of trees, shrubbery, flowers or plants, in or around any cemetery lot, or for improving the cemetery grounds in any manner consistent with the design and purpose of the corporation, according to the terms of such grant, donation or bequest.
- Trustees authorized to invest donations, &c.** SECTION 8. That all grants, donations and bequests of money which shall be made in accordance with the provisions of the foregoing section, the annual interest of which only is directed to be applied to any of the purposes mentioned in said section, shall be invested by the trustees in the manner hereinbefore directed; but they shall not be required to make separate investments of each sum so given; and the average income derived from all funds of the like nature, shall be divided and apportioned, annually, to the credit of the lot or lots entitled thereto, and the same shall be expended in accordance with the direction or intention of the donor or grantor.

**SECTION 9.** That so much of the original act of incorporation *Repeal.* as is hereby altered or supplied, be and the same is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

**APPROVED**—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 357.

## AN ACT

To authorize the Welch Society, located in the city of Philadelphia, to sell and convey a certain lot of ground in West Philadelphia, commonly known as the Welch Burial Ground.

**WHEREAS**, John J. Griffith and Samuel Jenkins, the surviving *Preamble.* trustees named in a certain indenture, dated the twentieth day of February, Anno Domini one thousand eight hundred and ten, recorded at Philadelphia in deed book I C, number eight, page one hundred and fifteen, et cetera, by an indenture dated the twentieth day of September, Anno Domini one thousand eight hundred and thirty-four, recorded at Philadelphia in deed book A M, number fifty-two, page one thousand four hundred and seventy-two, et cetera, and granted and conveyed unto the Welch society, its successors and assigns, a certain lot or piece of ground, situate and being on the south side of Washington street, in the late village of Hamilton, West Philadelphia, now in the consolidated city of Philadelphia, being the lot marked in the general plan of the said village number three, containing in front on Washington street fifty feet, and in depth to Oak street two hundred and fourteen feet six inches, bounded on the north by Washington street, on the east by lot number five, on the south by Oak street, and the west by lot number one, with the appurtenances, to hold in trust for and as a burial place for the Welch of all religious denominations, their families and descendants forever:

*And whereas*, By the great increase of population and the growth and improvement of West Philadelphia, the said burial ground is now situated in the most prosperous and improving part of the city of Philadelphia, and the time is approaching when it may become unlawful to bury the dead within its limits; and inasmuch as the ground is greatly out of order and requires to be enclosed by a new wall and other improvements of a permanent nature made; therefore,



*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

*Sale authorized.* it shall be lawful for the said the Welch society, located in the city of Philadelphia, and they are hereby authorized and empowered to bargain and sell the aforesaid burial lot or piece of ground, fronting on Washington street, in the late village of Hamilton, in West Philadelphia, now in the consolidated city of Philadelphia, and above particularly described, at public or private sale, to such person or persons, corporation or corporations as may agree for the purchase thereof, for such consideration and upon terms which may be deemed best by the said Welch society; and upon such sale or sales, to convey the same, in fee simple, to the purchaser or purchasers, by deed or deeds executed under the seal of the said corporation, and signed by the president and countersigned by the secretary, which said deed shall vest an absolute title in the purchaser or purchasers, and all the right, title and interest in and to the aforesaid burial ground of the Welch society, free, clear and discharged from all and every trust, use and limitation, and so that the purchaser or purchasers shall not be obliged to look to the appropriation of the purchase money.

*Removal of dead* *SECTION 2.* That before the sale of the said burial ground, or any part thereof, by the said the Welch society, as aforesaid, the dead interred therein shall be removed therefrom and be interred, at the expense of said society, in such graveyard as may be selected by the friends or relations of the dead; but if no such selection be made, then the said society shall select a cemetery, and any tomb stones belonging to such remains shall be re-set over the same.

*Purchase money, how appropriated.* *SECTION 3.* That the purchase money, arising from the sale of the said ground, shall be paid to the said Welch society, and be laid out and appropriated in the purchase of other ground, to be held by said Welch society, its successors and assigns, in trust for and as a burial place for the Welch of all religious denominations, their families and decendants forever, and for improving the same, and for no other use or purpose; the deed to be made and held by the said Welch society, its successors and assigns, as the original ground was held by said Welch society:

*Proviso.* *Provided,* That when said burying ground shall be sold or disposed of, the said land shall be liable to taxation for state and county purposes.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 358.

A N A C T

Supplementary to an act passed fourteenth April, one thousand eight hundred and thirty-four, entitled "An Act relative to Suits brought by and against Canal and Railroad Companies."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act to which this is a supplement shall be and hereby is extended to all suits, actions and proceedings instituted against any canal or railroad company, as well for the assessment of damages occasioned by construction of such canals or railroads as for any other cause.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 359.

A N A C T

Legalizing the Election of School Directors in Genessee Independent School District, Potter county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election of school directors in and for the Genessee independent school district, Potter county, held on the third day of February, eighteen hundred and sixty, and all acts and proceedings of the said school directors, done in pursuance of their

## LAWS OF PENNSYLVANIA,

office, be and the same is hereby confirmed and made valid, as though said directors had been legally elected.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 360.

## A SUPPLEMENT

To the Road Laws of Rush and Auburn townships, Susquehanna county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the supplement to the Lenox road, approved February twentieth, Anno Domini one thousand eight hundred and fifty-four, and applied to the township of Bridgewater, Susquehanna county, be and the same is hereby extended to the townships of Rush and Auburn, in said county, and that all the provisions of said supplement shall be as fully and effectually in force in said townships of Rush and Auburn, as they now are in said Bridgewater township.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 361.

## A N A C T

Supplementary to an act to incorporate the Northern Home for Friendless Children, passed the twenty-eighth day of January, eighteen hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the managers of the Church Home for Children, in the city of Philadelphia, to exercise all the rights and powers, in regard to the guardianship, management and indenturing of the children under their care or committed to their custody, as were conferred by the fourth and fifth sections of the act to which this act is a supplement, on the managers of the Northern Home for Friendless Children.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 362.

## A N A C T

Relative to the Transfer of Stock in the Dock Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any transfer of stock in the Dock coal company has been or shall be made, the title to said stock shall be vested in said transferee only from the time the said transfer shall be entered on the books of said company, according to the provisions of the charter and by-laws of said company, so far as the question of title may arise between transferees or assignees, and new stock shall be issued to him who first has his transfer recorded as aforesaid; said transfer may be recorded without pro-

ducing the original certificate: *Provided*, That if such transfer be recorded within thirty days after the date of such transfer, then the title shall vest from the date of said transfers respectively.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 363.

## SUPPLEMENT

To an act incorporating the borough of Montrose, in the county of Susquehanna.

Certain election confirmed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no election heretofore held in the borough of Montrose, for the election of burgess, councilmen or high constable, shall be held or deemed to be invalid by reason of any irregularity in conducting the same, or by reason of any omission to hold the same on the day appointed by law for the holding thereof; and all lawful acts and things done in pursuance and by virtue of any such election, are hereby ratified and confirmed.

Vacancy in office of high constable

SECTION 2. That in case of vacancy in the office of high constable, in said borough, either by death, resignation or refusal to act by such officer, the town council of said borough are hereby empowered to appoint a proper person to fill such vacancy until the next election.

Town council authorized to levy a tax.

SECTION 3. That the town council of said borough are hereby authorized to levy a tax or taxes, not exceeding one per cent. on the valuation in any one year, for the purposes specified in the act of incorporation to which this is a supplement.

Side walks.

SECTION 4. That the owners of real estate, situate in said borough, may be required by said town council to construct side walks adjacent to their respective lots, or land bordering upon streets, lanes or alleys, at an expense not exceeding two dollars for each rod thereof, and of such material and in such manner as said town council shall direct: *Provided*, That three months notice shall be given to the owners of such lots or land of such requirement, and of the kind and quality of such side walk, and the estimated expense thereof; which notice, with specifications,

Proviso.

shall be given personally in writing, when said owners reside in said borough, and when not residing in said borough, to be posted upon said premises.

SECTION 5. That on failure of the owners or occupiers of said lots or land to construct such side walks, after the expiration of the time specified for such notice, the same having been duly given as hereinbefore provided, the said town council may cause the same to be constructed, and recover the actual expense thereof, not exceeding the amount before specified, from the owners of such lots, as debts of like amount are by law recoverable; and all suits hereafter brought shall be in the corporate name of said borough.

Mode of recovery from persons failing to construct side walks.

SECTION 6. That the said town council are hereby authorized to levy, in each year, a tax, not exceeding one dollar, for each dog, and two dollars for each slut, owned or kept in said borough, which the treasurer is authorized to collect from the owner or keeper thereof, for the use of said borough, in the manner that state and county taxes are by law collectable.

Tax upon dogs, &c.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 364.

## AN ACT

To lay out a State Road in Clarion and Venango counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. Laughlin, Christopher Reichart, and J. M. Clapp, be and are hereby appointed commissioners to view and lay out and mark a state road, leading from Reimersburg, Clarion county, to the Allegheny river, at or near the mouth of Hemlock creek, in Venango county.

Commissioners.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act, with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground on the route agreed upon by

Duty of commissioners.

them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of filling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ two chain carriers, at a per diem allowance not exceeding one dollar and fifty cents; and the said commissioners respectively shall receive a per diem not exceeding two dollars, for each day necessarily employed in discharge of said duties enjoined by this act; which shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county: *Provided*, That if J. M. Clapp perform the duties of surveyor, he shall receive an additional compensation of fifty cents per day.

**Compensation.**

**Proviso.**

**Drafts.**

**Width and grade.**

SECTION 3. That it shall be the duty of the commissioners to make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation; one copy to be deposited in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass, on or before the first day of October next, and from thenceforth the said road shall be a public highway, and shall be opened a width of thirty-three feet, and at a grade of three degrees from a horizontal line, if practicable, and not to exceed five, and to be made and repaired as all other roads laid out by the courts are made and repaired.

**Vacancies.**

SECTION 4. That the commissioners shall proceed as soon as practicable, to complete the location of said road; and if any vacancy occur in their number, by death or resignation or otherwise, the same shall be supplied by the remaining commissioner or commissioners selecting suitable person or persons to constitute a board of at least three members.

**Supervisors.**

SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road may pass, upon given notice to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 365.

## A N. A C T

Relating to the Election of School Directors in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That no school director shall be eligible to the office of township or borough auditor, for or during the time for which he may have been elected, nor shall any such auditor be eligible to the office of school director: Provided, This act shall apply only to Butler county.*

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 366.

## SUPPLEMENT

To the act to incorporate the Union Market Company, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Union market company be and it is hereby authorized to borrow money to an amount not exceeding seventy-five thousand dollars, and to issue bonds and certificates of loan for the payment of the same, in such amounts and payable at such time or times and at such rate of interest, not exceeding eight per cent. per annum, and to sell the same at such discount as the board of managers may determine, with or without coupons attached; and it shall be lawful for the board of managers of said company to secure the payment of the said bonds or certificates of loan by a mortgage or mortgages, executed in due form in the corporate name of the said company, and under its corporate seal, or to transfer or cause to be transferred any mortgage*



or mortgages held by or for the benefit of the said company, to trustees to be named in the said mortgage or mortgages or transfer or transfers; the said mortgages to be secured upon the lot or lots of ground and market building erected or to be erected thereon, franchises, and all property, real and personal of the said company, and the revenues, rents, issues and profits thereof, as the said managers may deem best; the said bonds and certificates so authorized to be issued as aforesaid, or any of them, to be made convertible into the stock of the said corporation, or otherwise, at the discretion of the said board of managers.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 367.

## AN ACT

Making an appropriation from the State Treasury in further aid of the Farmers' High School of Pennsylvania, and to enable the Trustees to complete the College Buildings.

### Preamble.

WHEREAS, The Farmers' High School of Pennsylvania, combining manual labor with the acquisition of scientific knowledge, has been in operation for two years, with over one hundred students, demonstrating, by actual results, the practicability and expediency of the union:

*And whereas*, The trustees, for want of the funds required to complete the whole, were compelled to suspend the work upon the centre building, east wing and curtain, constituting two-thirds of the college structure, leaving the walls of the same at the height of one story, and much of the material prepared for the construction thereof in an exposed condition:

*And whereas*, Until the completion of the entire buildings, designed for the accommodation of four hundred students, this great enterprise of our age and country, now exciting a deep interest in many states, cannot be fairly tested; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the sum of forty-nine thousand nine hundred dollars be and is hereby appropriated to the Farmers' High School of Pennsylvania, to be paid in eight quarterly payments, as the work pro-

### Appropriation.

gresses, out of moneys in the state treasury not otherwise appropriated: *Provided*, That before any part of this appropriation be drawn from the treasury, satisfactory evidence shall be produced to the auditor general, that the managers have entered into a contract with sufficient sureties that the buildings shall all be finished for the amount herein appropriated.

SECTION 2. That for the purpose of having the sum appropriated by the provisions of this act properly applied to the completion of the buildings of the Farmers' High School, that Frederick Watts, Henry D. Moore, H. N. M'Allister, Isaac W. Van Lear and Gideon J. Ball, be appointed commissioners, with instructions to report to the next legislature. Commissioners to make report.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 368.

## SUPPLEMENT

To an act to authorize the Controllor and City Treasurer of the city of Philadelphia to audit and settle the Military Account of H. B. Yeager, late Brigade Inspector, approved December fifth, eighteen hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the controller and treasurer of the city of Philadelphia be and they are hereby authorized and required to audit, settle and pay the military account of Hiram B. Yeager, late brigade inspector of the first brigade, first division, Pennsylvania volunteers, for the years one thousand eight hundred and fifty-five and one one thousand eight hundred and fifty-nine inclusive.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 369.

## AN ACT

To provide for the Ordinary Expenses of the Government, and other General and Specific Appropriations.

**Appropriations.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby specifically appropriated to the several objects hereinafter mentioned, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and sixty-one, to be paid out of any money in the treasury not otherwise appropriated.

**Salary of governor and heads of departments.** SECTION 2. For the salary of the governor of the commonwealth, four thousand dollars.

For the salary of the secretary of the commonwealth, one thousand seven hundred dollars.

For the salary of the deputy secretary of the commonwealth, one thousand five hundred dollars.

For the salary of the auditor general, one thousand seven hundred dollars.

For the salary of the surveyor general, one thousand six hundred dollars.

For the salary of the attorney general, three thousand dollars.

For the salary of the state treasurer, one thousand seven hundred dollars.

For the salary of the superintendent of common schools, one thousand five hundred dollars.

For the salary of the state librarian, eight hundred dollars.

For the salary of the superintendent of public printing, eight hundred dollars, and for office rent ninety dollars; and to C. D. Hineline, the sum of ninety dollars for office rent last year.

**Executive department.**

SECTION 3. For the salary of the private secretary of the governor, six hundred dollars.

For messenger in executive department, five hundred dollars.

**Clerk hire, &c., in state department.**

SECTION 4. For the salary of the chief clerk in the office of the secretary of the commonwealth, one thousand two hundred dollars.

For the salary of the military clerk, one thousand dollars.

For the salary of the commission clerk, one thousand dollars.

For the salary of the first transcribing clerk, nine hundred dollars.

For the salary of the second transcribing clerk, nine hundred dollars.

For the salary of the third transcribing clerk, nine hundred dollars.

For the salary of the messenger in the state department, five hundred dollars.

For postage and telegrams in the state department, thirteen hundred dollars, or so much as may be necessary.

For blank books, fifty dollars.

For stationery, four hundred dollars.

For carpets, two hundred and seventy-five dollars.

For fuel and lights in the state department, one hundred and twenty-five dollars.

For cleaning offices, one hundred dollars.

For miscellaneous expenses, one hundred and fifty dollars.

SECTION 5. For the salary of the chief clerk in the auditor general's office, one thousand five hundred dollars.

Auditor general's office.

For the salary of the clerk in the banking department, one thousand two hundred dollars.

For the salary of the clerk in department for settling accounts of county treasurers, prothonotaries, registers, recorders, clerks of courts, et cetera, one thousand one hundred dollars.

For the salary of the clerk for settling the accounts of corporations, and in charge of the business with foreign insurance companies, reports of railroad and manufacturing companies, et cetera, one thousand one hundred dollars.

For the salary of warrant and bond clerk, one thousand dollars.

For the salary of registering and copying clerk, one thousand dollars.

For the salary of clerk in charge of canal papers, and assistant to chief and corporation clerks, one thousand dollars.

For salary of clerk for copying, et cetera, nine hundred dollars.

For the salary of messenger, six hundred dollars.

For postage and telegrams, five hundred dollars.

For stationery, three hundred and fifty dollars.

For fuel, seventy-five dollars.

For miscellaneous expenses of the office, seventy-five dollars.

SECTION 6. For the salary of the chief clerk in the surveyor general's office, one thousand four hundred dollars.

Surveyor general's office.

For the salary of the second clerk, one thousand one hundred dollars.

For the salary of the third clerk, one thousand dollars.

For the salary of the fourth clerk, one thousand dollars.

For the salary of the fifth clerk, nine hundred dollars.

For the salary of the sixth clerk, nine hundred dollars.

For the salary of clerk to make out and furnish to each county in this commonwealth a list of lands on which the state has any lien, in accordance with the requirements of the act of March twenty-first, Anno Domini one thousand eight hundred and sixty, the sum of one thousand dollars.

For the salary of messenger, five hundred and fifty dollars.

For postage in the office of the surveyor general, four hundred dollars.

For stationery, three hundred dollars.

For cleaning office, fifty dollars.

For fuel, seventy dollars.

For miscellaneous expenses, one hundred dollars.

SECTION 7. For the payment of the salary of the clerk in the office of the attorney general, eight hundred dollars.

Clerk hire in attorney general's office.

For the contingent expenses in the attorney general's office, the sum of three hundred and fifty dollars; and to John C.

Knox, late attorney general, one hundred and nineteen dollars and thirty-five cents.

Clerk hire, &c.,  
in treasurer's  
office.

SECTION 8. For the salary of the chief clerk in the office of the state treasurer, one thousand six hundred dollars.

For the salary of the book-keeper, one thousand two hundred dollars.

For the salary of the account clerk, one thousand dollars.

For the salary of the recording clerk, one thousand dollars.

For the salary of the messenger and night-watch of the treasury department, six hundred and fifty dollars.

For postage and telegrams in the treasury department, four hundred and seventy-five dollars.

For stationery and blank books, two hundred and fifty dollars.

For express charges, one hundred dollars.

For fuel and light, seventy-five dollars.

For miscellaneous expenses, one hundred and fifty dollars.

Commissioners of  
sinking fund and  
clerk hire.

SECTION 9. That the state treasurer is hereby required to pay to each of the commissioners of the sinking fund, the sum of three hundred dollars.

And to the clerk of said commissioners, one thousand dollars.

School department.

SECTION 10. For the salary of the deputy superintendent of common schools, one thousand four hundred dollars.

For expenses of the deputy superintendent, in visiting the several school districts of the state, three hundred dollars.

For the salary of the first clerk in the school department, one thousand dollars.

For the salary of the second clerk, one thousand dollars.

For the salary of the third clerk, nine hundred dollars.

For the salary of the messenger, five hundred dollars.

For stationery and blank books in the school department, three hundred dollars.

For postage, telegrams and express expenses, one thousand dollars.

For fuel, light and cleaning office, sixty dollars.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the several school districts of the commonwealth, six hundred dollars.

For expenses of the superintendent in visiting the several school districts of the state, three hundred dollars.

For expenses of visiting and inspecting the State Normal school at Edinboro', two hundred and fifty dollars.

For miscellaneous expenses of school department, fifty dollars.

For blank diplomas, forms for the State Normal schools, and for county teachers' certificates, the sum of two hundred and fifty dollars, or so much thereof as shall be necessary, upon settling the account by the auditor general.

State library.

SECTION 11. For the salary of assistant librarian, one hundred and fifty dollars.

For the purchase of law and miscellaneous books, one thousand dollars.

For the exchange of law books, three hundred and fifty dollars.

For postage, freight on books, stationery, purchasing books, cleansing, making fires, et cetera, two hundred and fifty dollars.

For binding, one hundred and fifty dollars.

SECTION 12. For repairs to the building of state department, painting, et cetera, the sum of one thousand and five hundred dollars, or so much thereof as may be needed, to be expended by the secretary of the commonwealth, and accounted for to the auditor general. Repairs, &c., to departments and executive mansion.

For expenses incurred in repairs to executive mansion during current year, three hundred and fifty dollars.

For iron safe, carpeting and matting, et cetera, for auditor general's office, the sum of eight hundred dollars, or so much thereof as may be needed, to be expended by the auditor general, and accounted for to the state treasurer.

For general repairs to building of land department, fitting up room for use of surveyor general, and for the meeting of the board of property, and for files, cases, et cetera, the sum of four hundred dollars, or so much thereof as may be needed, to be expended by the surveyor general, and accounted for to the auditor general.

For bill of William Hyres, for repairs to school department, the sum of forty-five dollars.

The appropriations authorized by this section may be expended as soon as deemed expedient by the heads of departments, after the passage of this act.

SECTION 13. For the public printing, folding, stitching and binding, thirty thousand dollars, or as much thereof as may be necessary, on settlement of the account of the public printer according to law. Printing.

SECTION 14. For the payment of the expenses of the legislature, including the pay and mileage of members, clerks and officers thereof, and the amount authorized by law for stationery, et cetera, the sum of one hundred and fifty thousand dollars, or as much thereof as may be necessary, to be settled by the auditor general according to law. Legislature.

SECTION 15. For packing and distributing the laws and journals of the legislature, to be performed under the direction of the secretary of the commonwealth, seven hundred dollars, or as much thereof as may be necessary. Packing and distributing laws.

SECTION 16. For miscellaneous expenses, to be first audited by the auditor general before being paid by the state treasurer, the sum of seven thousand dollars. Miscellaneous expenses.

SECTION 17. For the salaries of the judges of the supreme court, the sum of twenty-one thousand five hundred dollars, or so much of the same as shall be necessary. Supreme court.

SECTION 18. For the payment of the salaries of the judges of the district court, and the judges of the court of common pleas of the city of Philadelphia, the sum of eighteen thousand dollars, or three thousand dollars to each judge. Judges of Philadelphia city.

SECTION 19. For the payment of the judges of the district court, and the president and assistant law judges of the court of common pleas of the county of Allegheny, twelve thousand dollars. Judges of Allegheny county.

- Judges of courts of common pleas.** SECTION 20. For the payment of the salaries and mileage of the president and associate law judges of the several courts of common pleas in this commonwealth, except in the city of Philadelphia and the county of Allegheny, the sum of fifty-five thousand dollars, or as much thereof as may be necessary.
- Associate judges.** SECTION 21. For the payment of the salaries and mileage of the associate judges of the courts of this commonwealth, the sum of forty thousand dollars, or as much thereof as may be necessary.
- Interest on state debt.** SECTION 22. For the payment of the interest on the funded debt of the commonwealth, that will fall due on the first days of July and August, one thousand eight hundred and sixty-one, and on the first days of January and February, one thousand eight hundred and sixty-two, the sum of one million eight hundred and fourteen thousand one hundred and seventy-five dollars.
- Deaf and dumb.** SECTION 23. For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, twenty-five thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the commonwealth, at the rates prescribed by law, the evidence of which is to be presented to the state treasurer. For the Northern Home for Friendless Children, the sum of five thousand dollars.
- Northern Home for Friendless Children. Blind.** SECTION 24. For the Pennsylvania institution for the instruction of the blind, the sum of twenty-four thousand eight hundred dollars, to be paid in proportion to the number of indigent pupils from the several counties of the commonwealth, at the rates prescribed by law, the evidence of which is to be furnished to the state treasurer.
- Western Pennsylvania hospital.** SECTION 25. For the Western Pennsylvania hospital, five thousand dollars; for the salaries of officers, and for the purpose of completing suitable buildings, the further sum of twenty thousand dollars.
- State Lunatic hospital.** SECTION 26. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages, the sum of ten thousand dollars; and for repairs to the buildings and machinery, the further sum of five thousand dollars, or so much thereof as may be necessary; and for the support of the house, a further sum of three thousand dollars, or so much of the above as may be necessary: *Provided*, That the said appropriation shall only be paid upon the production of an account to the auditor general, under the oath or affirmation of the principal of said institution, which shall specifically set forth the items of expenditure made or to be made, and the amount of assets received from the several counties of this commonwealth, and assessed upon the patients *per capita*, and from private sources, and the amount of said assets on hand; and that the state treasurer shall not pay any of the aforesaid appropriation, unless such statement shall have been made and certified to by the auditor general.
- Feeble minded children.** SECTION 27. For the Pennsylvania Training School for Feeble-Minded Children, at Media, in the county of Delaware, the sum of five thousand dollars, for the purpose of erecting the necessary out buildings, et cetera, and the usual sum for each pupil as provided by the act of incorporation: *Provided*, That the number of said pupils shall not exceed sixty.
- Proviso.**

**SECTION 28.** For the support of the common schools, to be paid on warrants drawn by the superintendent, in favor of the several school districts of the commonwealth, in proportion to the number of taxables therein, by the enumeration of one thousand eight hundred and sixty, the sum of three hundred and eight thousand dollars, inclusive of the salaries of the county superintendents, of five thousand dollars to each of the State Normal schools, at Millersville, in Lancaster county, and Edinboro', in Erie county, and of seventy-five cents a year for each school district in the state, to carry out the provisions of the ninth section of the supplement of eighth May, one thousand eight hundred and fifty-five, to the general school law, from the termination of the last subscription on the part of the commonwealth, to the end of the school year which will begin on the first Monday in June, one thousand eight hundred and sixty-one, to be accounted for in the usual manner: *Provided*, That the city of Philadelphia shall be entitled to a proportion on the said taxes, without contributing to the salaries of the county superintendents. That the superintendent of common schools is authorized to pay their proper portions of state appropriation, for the school year which terminated on the fourth of June, one thousand eight hundred and sixty, to such districts as had common schools in operation within said year, but which, owing to Providential causes, failed to keep said schools open and in operation the full term of four months, required by existing laws: *Provided*, That said districts shall have complied with the provisions of the school law in all other respects: *Provided*, That this shall only apply to the eight school districts referred to in the report of the state superintendent of common schools; and to provide more certainly for the payment of the above, the act for the distribution of Colonial Records and Pennsylvania Archives among the members and officers of the present legislature, entitled "Joint resolution requiring the secretary of the commonwealth to purchase Colonial Records and Pennsylvania Archives," be and the same is hereby repealed.

**SECTION 29.** For roofing and general repairs to the Eastern penitentiary, the sum of fifteen thousand dollars; and for the payment of the salaries of the officers, the sum of twelve thousand eight hundred dollars; and the additional sum of four dollars for each discharged convict, in equal quarterly payments, on or after the fifteenth day of the months of June and September, in the year one thousand eight hundred and sixty-one, and December and March, in the year one thousand eight hundred and sixty-two; and for books and stationery, for the use of the convicts, the sum of two hundred and fifty dollars, under the direction of the warden.

**SECTION 30.** For the payment of the salaries of the officers of the Western penitentiary, the sum of eleven thousand one hundred and sixty-one dollars, and the additional sum of fifty thousand dollars, for building purposes, to be drawn from the state treasury monthly, as the work progresses, as by accounts furnished to the auditor general; and the additional sum of four dollars for each discharged convict, in equal quarterly payments, on and after the fifteenth day of the months of June and September, in the year one thousand eight hundred and



sixty-one, and December and March, in the year one thousand eight hundred and sixty-two.

House of Refuge,  
Philadelphia.

SECTION 31. For the House of Refuge in Philadelphia, twenty-five thousand dollars, of which five thousand dollars is specifically appropriated to enable the officers to have the inmates taught regular trades in the institution.

House of Refuge,  
Allegheny county.

SECTION 32. For the House of Refuge of Western Pennsylvania, in the county of Allegheny, for the salaries of officers, five thousand dollars; and for improvements and repairs, the further sum of eight thousand dollars.

Pensions and  
gratuities.

SECTION 33. For the payment of pensions and gratuities, the sum of seven thousand dollars, or so much thereof as may be necessary.

Samuel Hazard.

SECTION 34. For the payment of Samuel Hazard, editor of the Colonial Records and Pennsylvania Archives, in full, for salary due him, nine hundred dollars: *Provided*, That he shall deliver, to the state librarian, the records, documents and all other papers appertaining to the subject, in his possession: *Provided*, That on examination of said claim by the attorney general, auditor general and secretary of state, said amount shall be found due.

Proviso.

Proviso.

Water and gas  
for public build-  
ings.

SECTION 35. For the payment to the city of Harrisburg, for supplying the public buildings with water, according to the act of April twenty-eighth, one thousand eight hundred and forty, the sum of six hundred dollars; and also for gas for the public buildings and walks, fifteen hundred dollars, or as much as may be found due by the auditor general on the contract with the company, in pursuance of its charter and supplement, to be paid on the warrant of the governor.

Public grounds  
and buildings.

SECTION 36. For the superintendent and watchman of the public buildings and grounds, the sum of two dollars and fifty cents per day during the period of his appointment.

For the improvement of the public grounds, two thousand dollars, to be paid to the superintendent, to be settled by the auditor general according to law; and a further sum of one hundred and twenty-five dollars, for sandstone steps at corner of Walnut and Third streets, or so much thereof as may be necessary, the work and materials to be contracted for by, and the money expended under the direction of, the state treasurer and secretary of the commonwealth, and accounted for to the auditor general.

George Bergner,  
publisher of Leg-  
islative Record.

SECTION 37. For George Bergner, seven dollars per page for the Legislative Record, published during the present session of the legislature; the amount to be certified by the superintendent of the public printing, and upon such certificate the state treasurer shall pay the same. And for making an index to the same, the further sum of one hundred and fifty dollars is appropriated to the publisher of the Record: *Provided*, That the making of said index does not detain the forwarding of the bound copies longer than two weeks. - And the said publisher is hereby au-

Proviso.

Contract con-  
tinued.

thorized to continue the publication of said Record at the next session of the legislature, under the terms and conditions of the existing contract, until the two houses otherwise order, or a new contract is made for such publication.

SECTION 38. For each of the fire companies of the city of Harrisburg, seventy-five dollars. Fire companies,  
Harrisburg.

SECTION 39. For transcribing for the committee of ways and means, to be paid on order of the chairman, the sum of thirty dollars; and for transcribing for finance committee, to be paid on order of the chairman, the sum of thirty dollars. Transcribing for  
committees.

SECTION 40. That the state treasurer is hereby authorized and directed to pay to each of the chief clerks of the Senate and House of Representatives, the usual per diem for fifteen days' services after the close of the session, and the usual per diem to three additional officers who may be kept by each clerk to assist them in their duties. And to the chief clerk of the Senate and House, for the expense of indexing the journals, the sum of one hundred and twenty-five dollars each. And for miscellaneous expenses of the chief clerks of the Senate and House, attendant upon their duties during the recess, each the sum of one hundred and fifty dollars. Miscellaneous  
expenses of chief  
clerk of Senate  
and House.

SECTION 41. That the clerks appointed according to the seventeenth section of the act of May seventh, one thousand eight hundred and fifty-five, shall be allowed the same rate of compensation and mileage as is now allowed to the transcribing clerks by said act, in proportion to the time they shall serve as such. Pastors and folders, or any other officers, employed by resolution or election, in either house, shall be entitled to the compensation and mileage of assistant door-keepers; and to Daniel Welch, the additional transcribing clerk of the Senate, the pay of a transcribing clerk. Compensation of  
clerks.  
  
Pastors and fol-  
ders.

SECTION 42. For the payment to John A. Smull, for his services to the House of Representatives as an assistant clerk, for the present session, and for services during the recess, filing away and taking charge of the papers and documents, the sum of one thousand dollars; and it shall be his duty to receive from the state printer the bound copies of the Daily Record, and forward the same to the address of the members of the legislature as soon as practicable after the adjournment. John A. Smull.

And to William P. Brady, for services as librarian of the Senate, the same compensation as allowed to a transcribing clerk, and for distributing and filing the Legislative Record, one hundred dollars; and also, for twenty-one days' extra services, at the same rate allowed for his services as librarian. Wm. P. Brady.

SECTION 43. That the state treasurer is hereby authorized to pay to the chief clerk of the Senate and House of Representatives, the sum of one dollar per day for each of the pages employed by the Senate and House during the present session, the vouchers for the same to be furnished in the usual manner; and to Herman Yerkes, the sum of thirty-four dollars and forty cents, for expenses incurred by directions of committee of inauguration. Pages.  
  
Herman Yerkes.

SECTION 44. That the state treasurer is hereby authorized to pay to Isaac M'Guire and Thomas Woodall at the rate of two dollars per day, for services in cleaning and keeping in order the closets in the basement of the capitol; and also the same compensation to Jacob Radabaugh, door-keeper in the rotunda, the actual number of days employed, to be certified to by the clerk of the House. And to Colonel William Diehl, marshal Isaac M'Guire  
and Thomas  
Woodall.  
  
Jacob Rada-  
baugh.  
  
William Diehl.

of the rotunda, the same pay and mileage as is allowed by law to an assistant door-keeper.

**Firemen.**

For the payment of the firemen having in charge the furnaces in the basement, the sum of two dollars per day each, the account to be settled by the clerks of the two houses.

**Repairing state arsenal, Philadelphia.**

SECTION 45. For roofing and repairing of the state arsenal, in Philadelphia, the sum of two thousand five hundred dollars, in lieu of the appropriation of last year, to be expended by the major general of the first division, Pennsylvania volunteers, and accounted for to the auditor general.

**Tonnage agents.**

SECTION 46. For the state freight tonnage agents, for the year ending June first, one thousand eight hundred and sixty-one, on the Pennsylvania and Northern Central railroads, the sum of twelve hundred dollars in full, and that the office is hereby abolished.

**Powder magazine.**

SECTION 47. For repairs to the powder magazine, the sum of three hundred dollars, or so much thereof as may be necessary to be expended by the superintendent.

**Express charges, &c.**

SECTION 48. For express charges, packing and distributing bound copies of Daily Legislative Record, the sum of one hundred dollars, to be paid to the clerk of the House.

**Additional compensation.**

SECTION 49. That the state treasurer is hereby authorized and directed to pay to each of the officers of the House and Senate, except the speakers, folders and pages, an extra allowance of one hundred dollars each for services during the present session; to the several folders or pasters the sum of fifty dollars extra; to the several pages the sum of ten dollars extra; to the several women employed by the clerks of the two houses to cleanse the halls, the sum of ten dollars extra.

**Salaries and appropriations, how paid.**

SECTION 50. That all annual salaries herein provided for, and also all appropriations to penitentiaries, houses of refuge and charitable institutions, shall be paid quarterly at the office of the state treasurer, unless otherwise specified by law; and that no money appropriated by this act for any specific object, shall be applied to another, in any of the charitable institutions, penitentiaries or houses of refuge.

**Guarantied interest.**

SECTION 51. For guarantied interest on account of the Bald Eagle and Spring Creek navigation company, seven thousand seven hundred and seventy-five dollars.

E. W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 370.

## A N A C T

To pay the expenses incurred for the Reception and Entertainment of the President of the United States elect.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to the order of the chairman of the joint committee appointed to invite and receive the president of the United States elect, at the seat of government, the sum of one thousand three hundred and fifty-five dollars and fifty cents, in full for all costs and charges incurred by said reception, the accounts having been first adjusted by the joint committee.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

**APPROVED**—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 371.

## A N A C T

For the Relief of the Sureties of Jacob M. Strickler, late Collector of Tolls at Columbia.

**WHEREAS,** The sureties of Jacob M. Strickler, late collector of tolls at Columbia, renewed their bonds to the commonwealth, upon the assurances of the proper officers, that said Strickler was not indebted to the state:

*And whereas,* Said Strickler was largely a defaulter to the state at the time the assurances were given and the bonds renewed:

*And whereas,* The sureties have already paid into the treasury, on account of the defalcation of said Strickler, the sum of thirty-one thousand six hundred and seventy-two dollars and twenty-nine cents, being some eight thousand dollars more than they realized out of all the property of said Strickler; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

## LAWS OF PENNSYLVANIA,

Bartram A. Shaeffer, Christian S. Kaufman, and Robert Crane, sureties of said Jacob M. Strickler, be and the same are hereby released from the payment of any balance that may be due the state on their bond or bonds, as sureties.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 372.

## A SUPPLEMENT

To an act authorizing the construction of a Railroad to connect the North Branch Division of the Pennsylvania Canal, at or within the borough of Wilkesbarre, with the Slackwater Navigation of the Lehigh, passed the 18th day of March, A. D. 1837.

## Preamble.

WHEREAS, The Lehigh coal and navigation company design to construct a branch railroad from the head of the planes of their railroad, constructed under the act to which this is a supplement, and commonly known as the Lehigh and Susquehanna railroad, to the foot of said planes, for the transportation of their empty cars, and for such other facilities in conducting the business of their said railroad as may become necessary; and also to construct branches from the foot of plane No. 3, of the said Lehigh and Susquehanna railroad, to connect the said railroad with the railroad of the Nanticoke railroad company; therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

## Branch railroads authorized.

## Routes.

the said the Lehigh coal and navigation company are hereby authorized and empowered to construct a branch railroad from any point near the head of the planes of their railroad, in Luzerne county, known as the Lehigh and Susquehanna railroad, to a point near the foot of the planes of their said railroad, of such grade and width as may be deemed practicable and expedient; and also to construct branches from the foot of plane No. 3, of the railroad of said company, to connect the railroad of said company with the railroad of the Nanticoke railroad company; and by themselves, their engineers, superintendents, artists and workmen, to enter in and upon, and occupy and use for the purpose aforesaid, all land and materials which may be necessary or suitable for the construction and subsequent repairs

## Privileges.

of the said branch railroads, and there to construct the said railroads, with all necessary buildings, water stations or other devices, under the provisions of the act to which this is a supplement.

SECTION 2. That whenever the said company, or their agents, **Damages.** cannot agree with the owners of lands over which their said branch roads will pass, in regard to the damages claimed by such owners, that the said company may tender a bond, with sufficient security, to the party claiming the damages, the conditions of which shall be that the said company will pay or cause to be paid to such party, his executors, administrators or assigns, such amount of damages as shall afterwards be agreed upon by the parties, or assessed under the act to which this is a supplement, or under any of the supplements of said act: *Provided*, That in **Proviso.** case the party claiming damages refuse to accept the bond as tendered by said company, the said company may in every such case present their bond to the court of common pleas of Luzerne county, and, if the court approve of the security, shall direct the same to be filed for the benefit of those to whom it shall be given, which bond shall be answerable for all damages assessed if the same be not paid within a reasonable time after such assessment: *Provided further*, That upon the acceptance **Proviso.** of such bond, or its being approved by the court and filed, that the said company, or their agents, may enter upon such lands and construct their said branch roads with the same powers and rights as if the damages had been legally assessed and paid to the owner thereof: *And provided further*, That ten days **Proviso.** notice of such intended presentation of such bond to the said court shall be given to the party to whom said bond is drawn.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 373.

## AN ACT

Relating to Sheriff's Sales in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, in all cases of sheriff's sales of real estate in the county of Luzerne, the publication*

of notice of said sales shall be made in any two newspapers published at the county seat of said county, as may be directed by the attorney or party issuing or having charge of the writs, upon which direction shall be indorsed on the præcipe to the prothonotary, and by him indorsed on the writ; and so much of any law as is inconsistent herewith, is hereby repealed, so far as relates to said county.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 374.

SUPPLEMENT

To an act, entitled "An Act to incorporate the Union Railroad Company," approved the thirteenth day of March, Anno Domini one thousand eight hundred and sixty.

**Change of name.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style and title of the Union railroad company, incorporated by an act of assembly, approved the thirteenth day of March, one thousand eight hundred and sixty, shall be changed to that of the Western Junction railroad company.

**Repeal of certain words.** SECTION 2. That the words, "south of the Mercer and Crawford county line, that may be agreed upon by said companies," contained in the second section of the original act of incorporation, be and the same is hereby repealed, and the words, "south of the town of New Castle," in Lawrence county, shall be inserted in lieu thereof; and that a majority of stockholders or directors may be residents of any other state: *Provided,* That

**Substitution.**

**Proviso.**

the said company shall keep an office of business within this commonwealth.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 375.

## A N A C T

Relating to the Accounts of the Delaware and Hudson Canal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, in the settlement of the account of the president, managers and company of the Delaware and Hudson canal company, for taxes, is authorized to give the company credit for all the moneys paid by said company into the state treasury on account of taxes.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 376.

## S U P P L E M E N T

To the act, entitled "An Act for the better organization of the Militia of this Commonwealth," approved April twelfth, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor of this commonwealth is hereby authorized to appoint medical and other staff officers, necessary to the wants and efficiency of the militia of this commonwealth, now or hereafter to be called into actual service of the state or United States.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 377.

## AN ACT

Supplementary to An Act, entitled "An Act to consolidate, revise and amend the Penal Laws of this Commonwealth," approved March thirty-first, one thousand eight hundred and sixty.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Offences against  
the state or Uni-  
ted States de-  
fined.

if any person or persons belonging to or residing within this state, and under the protection of its laws, shall take a commission or commissions from any person, state or states, or other the enemies of this state, or of the United States of America, or who shall levy war against this state or government thereof, or knowingly and willingly shall aid or assist any enemies in open war against this state or the United States, by joining their armies, or by enlisting, or procuring, or persuading others to enlist for that purpose, or by furnishing such enemies with arms or ammunition, or any other articles for their aid and comfort, or by carrying on a traitorous correspondence with them, or shall form, or be in anywise concerned in forming any combination or plot or conspiracy, for betraying this state or the United States of America into the hands or power of any foreign enemy, or any organized or pretended government engaged in resisting the laws of the United States, or shall give or send any intelligence to the enemies of this state or of the United States of America, or shall, with intent to oppose, prevent or subvert the government of this state or of the United States, endeavor to persuade any person or persons from entering the service of this state or of the United States, or from joining any volunteer company or association of this state about being mustered into service, or shall use any threats or persuasions or offer any bribe, or hold out any hope of reward, with like intent to induce any person or persons to abandon said service, or withdraw from any volunteer company or association already organized under the laws of this commonwealth, for that purpose; every person so offending and being legally convicted thereof, shall be guilty of a high misdemeanor, and shall be sentenced to undergo solitary imprisonment in the penitentiary, at hard labor, for a term not exceeding ten years, and be fined in a sum not exceeding five thousand dollars, or both, at the discretion of the court: *Provided*, That this act shall not prohibit any citizen from taking or receiving civil commissions for the acknowledgment of deeds and other instruments of writing.

Penalty.

Proviso.

Selling, building  
or furnishing ves-  
sels.

*SECTION 2.* That if any person or persons within this commonwealth, shall sell, build, furnish, construct, alter or fit out, or shall aid or assist in selling, building, constructing, altering or fitting out any vessel or vessels, for the purpose of making war or privateering, or other purpose, to be used in the service of any person or parties whatever, to make war on the United

States of America, or to resist by force or otherwise, the execution of the laws of the United States, such person or persons shall be guilty of a misdemeanor, and on conviction thereof, shall be sentenced to undergo solitary imprisonment, in the penitentiary, at hard labor, not exceeding ten years, and be fined in a sum not exceeding ten thousand dollars, or both, at the discretion of the court. Penalty.

SECTION 3. That every person holding a commission as an officer in the volunteer or militia forces of this commonwealth, shall, within thirty days after the passage of this act, be required to take the oath of allegiance to this state and to the United States; and in case any person holding such commission, shall refuse to take such oath, the governor shall have authority to revoke and annul the commission of such person, and supply his place by appointment, until the vacancy thus created shall be supplied, as provided for vacancies in other cases by existing laws of this commonwealth; the said oath of allegiance shall be administered by the adjutant general, or any judge of the court of common pleas, and may be transmitted to the several brigade inspectors of this commonwealth, who shall in turn administer the same to the officers embraced within the bounds of their respective brigades. Officers to take oath of allegiance.  
Governor may revoke commissions.  
By whom oath to be administered.

SECTION 4. No civil process shall issue, or be enforced against any person mustered into the service of this state or of the United States, during the term for which he shall be engaged in such service, nor until thirty days after he shall have been discharged therefrom: *Provided*, That the operation of all statutes of limitations shall be suspended upon all claims against such person during such term. No civil process to issue against persons in service.  
Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 378.

## AN ACT

Authorizing the appointment of a Commissioner to collect and preserve among the Archives of the State, unpublished original and authentic Manuscripts, illustrating the early History of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the governor of the commonwealth of Pennsylvania be and is hereby authorized to appoint a competent person to search for, procure, receive and arrange, in historic form, for safe keeping and convenient reference, among the archives of the commonwealth, any original, authentic and unpublished manuscripts, notes, letters and journals of any officer, non-commissioned officer, private, spy or partizan, who served in the Pennsylvania line or militia, and especially in the conflicts with the Indians and defence of our frontier settlements, or of any officer of the French or British service in the American wars, which may illustrate the early annals of Pennsylvania, or contribute to the materials of history; and the commissioner so appointed by virtue of this act, shall have authority to correspond officially with any executor, administrator or descendant of any such officer in France, Great Britain, or the British provinces, in behalf of the state of Pennsylvania, for the purposes aforesaid.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 379.

## AN ACT

Relating to certain Corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for any railroad company created by and existing under the laws of this commonwealth, from time to time to purchase and hold the stock and bonds, or either, of any other railroad company or companies, chartered by or of which the road or roads is or are authorized to extend into this commonwealth; and it shall be lawful for any railroad companies to enter into contracts for the use or lease of any other railroads, upon such terms as may be agreed upon with the company or companies owning the same, and to run, use and operate such road or roads in accordance with such contract or lease: Provided, That the roads of the companies so contracting or*

leasing shall be directly, or by means of intervening railroads, connected with each other.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 380.

## A SUPPLEMENT

To the act to enable the Governor to incorporate a Company for making an Artificial Road, beginning at the intersection of Vine and Tenth streets, Philadelphia, and thence to Perkiomen bridge, in the county of Montgomery, approved the thirtieth day of March, Anno Domini one thousand eight hundred and eleven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Ridge turnpike company, by a meeting of the stockholders duly convened for that purpose, to signify to the governor in writing their intention to be and become subject to the provisions of the fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections of the act of assembly of this commonwealth, approved on the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies;" and thereupon the said company shall be and become subject to the said provisions, and as if the said sections of the said act had been originally part of the act of incorporation of the said company; and all provisions of the said act of incorporation inconsistent with the said sections or supplied thereby, shall thereupon be repealed. Notice of intention to become subject to certain provisions.

SECTION 2. That it shall and may be lawful for the said Ridge turnpike company henceforth to collect and receive, from all and every person using the said road, tolls at the same rates as are now authorized by law to be charged and collected by the Germantown turnpike road company. Rates of tolls.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 381.

## AN ACT

To regulate the Dealing in Second-Hand and Old Iron, Brass and other Metals, in the county of Schuylkill, and to suppress the Pilfering thereof.

## Preamble.

WHEREAS, A class of dealers in old iron, brass and other metals, commonly called junk shop keepers, have established themselves in various parts of the county of Schuylkill, and many of them, by traveling among the various collieries and other establishments in that county using materials of iron and other metals, with their horses and wagons, and purchasing, indiscriminately, from children, youths, employees and others, any articles of old or second-hand iron, brass and other metals, without regard to the ownership thereof, not only encourage pilfering and demoralize the youth and employees of the county, but often deprive the real owners of property of great value to him, but which separated from its proper use is of very trifling value to the seller:

*And whereas,* Owing to the difficulty of identifying the articles thus taken, prosecutions for larceny and receiving stolen goods knowing them to have been stolen, have failed to suppress the evil which has grown so serious as to require legislative aid to suppress it; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of June, Anno Domini one thousand eight hundred and sixty-one, it shall not be lawful for any one in the county of Schuylkill to purchase, sell or deal in second-hand or old cast or wrought iron, brass or other metals, or any old or second-hand article made of both or either, or any article or articles made of metal that has been used or is delivered or intended to be used in or about any colliery, machine shop, foundry, rolling mill, furnace or railroad, or part of any railroad located in said county, without a license so to do first had and obtained from the court of quarter sessions of the peace for the said county of Schuylkill, which licenses shall only be granted by the said court, on the petition of the applicant therefor, setting forth the particular location, shop, store or house wherein he desires to set and carry on such business of dealer in old iron, brass, &c., that the petitioner is a citizen of the United States, over the age of twenty-one years, and of good moral character, which petition shall be verified by the oath of the applicant, and by the certificate of twelve reputable citizens of the ward, borough or township wherein said applicant may desire to set up said business, and by such other testimony as may be required to fully satisfy the said court that the said applicant is a proper person to have charge of said business, and one who will not violate any of the provisions of this act; and the said petition and certificate shall be filed of record in the office of

Dealing in second hand or old iron, brass, &c., prohibited.

License, how obtained.

the clerk of said court; and if the said court, after due examination, are fully satisfied that the said applicant is a proper person to have charge of said business, and one who will not violate any of the provisions of this act, they shall grant him a license to purchase, sell and deal in said articles of iron, brass and other metals hereinbefore mentioned, for the period of three years from the date thereof, at the particular shop, store, building or location, in said license set forth, and at no other place in said county; and for attaching the seal of said court thereto and issuing the said license, the clerk of said court shall be entitled to demand and receive the sum of three dollars. Fees of clerk of court.

SECTION 2. That any person or persons not being a person or persons engaged in the foundry, machine, furnace or rolling mill business in said county of Schuylkill, who shall deal in or purchase in said county any of the before-mentioned articles, without having first obtained a license so to do under the provisions of this act, or who being so licensed shall purchase or deal in said articles in any other place than that designated in his license as his place of such business, such person or persons shall, on conviction thereof, be sentenced to pay a fine not exceeding fifty dollars, and suffer an imprisonment not exceeding three months, or both, or either, at the discretion of the court. Penalty for dealing without a license.

SECTION 3. That any dealer licensed under this act, in whose possession any such before-mentioned articles shall be found that have been lost, taken or stolen from any such colliery, machine shop, foundry, furnace, rolling mill or railroad, or to whose possession the same may be traced, after having been so as aforesaid lost, taken or stolen, and who shall not be able, by the testimony of one credible witness, in addition to his own testimony, to show from whom the same was received or purchased, shall be adjudged guilty of a misdemeanor, and on conviction thereof, be sentenced to pay a fine not exceeding fifty dollars, and undergo an imprisonment not exceeding three months, or both, or either, at the discretion of the court: *Provided however*, That this section shall not be so construed as to prevent the prosecution of any such dealer for the larceny of said articles found in his possession, or for receiving the same knowing them to have been stolen; but a count, under this section, may be joined to a count for larceny and for receiving stolen goods. Penalty in cases where possession of articles cannot be accounted for.

SECTION 4. That all prosecutions under this act shall be triable in the said court of quarter sessions of the peace for the county of Schuylkill. Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 382.

## SUPPLEMENT

To an act to incorporate the Fishing Creek Improvement Company, approved the nineteenth day of February, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Fishing Creek improvement company be and the same is hereby invested with all and singular the powers and privileges conferred, and subject to all the restrictions and provisos contained, in an act to incorporate the Kausch Creek company, approved the second day of April, one thousand eight hundred and sixty.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 383.

## AN ACT

Supplementary to an act to incorporate the Harrisburg Gas Company.

WHEREAS, The Harrisburg gas company has been obliged to re-build their works during the past year, and thereby incurred a heavy debt, and in order to enable them to grant further facilities and extend their pipes through the extended part of the city; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Harrisburg gas company be empowered and authorized to*

increase the capital stock of said company to an amount not exceeding twenty-five thousand dollars.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 384.

## A SUPPLEMENT

To an act extending Pennsylvania Avenue, in the city of Pittsburg, to the intersection of Ross and Fifth streets.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when the court of quarter sessions shall make an order for the opening of Pennsylvania avenue, as provided by the third section of the act to which this is a supplement, the clerk of said court shall certify the same to the street commissioner of the city of Pittsburg for the proper district, whose duty it shall be to notify all persons owning buildings or other obstructions, on the line of said extension, to remove the same within thirty days from said notice; and if said parties, or any of them, shall neglect or refuse to remove the same within said time, the councils of said city may provide by ordinance for the removal of the same, and the sale of the materials, for the payment of the expense of said removal, or may order such other proceedings of said removal as may be authorized by law: *Provided,* That the notice required by this act, shall be served personally upon all said owners who may be at the time in said city, and upon all others by advertisement, in the papers authorized to do the city printing, and by posting upon the premises.

Order of court.

Clerk to notify street commissioners.

Notice to parties owning buildings or other obstructions.

Councils may provide for removal and sale.

Proviso.

SECTION 2. That after the payment of all damages assessed to the persons entitled to the same, and the costs and expenses of the proceedings, which may be payable out of the fund under the order of said court, the balance of the money which may be collected on account of said extension, shall be paid to the treasurer of the city of Pittsburg, and shall be payable under the direction of the councils of said city, to the payment of

Balance, to whom paid and how used.



## LAWS OF PENNSYLVANIA,

the solicitor's fees, and to the reduction of the expenses of opening and grading and paving said street.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 385.

## A FURTHER SUPPLEMENT

To an act incorporating the Pittsburg Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the second section of an act, entitled "A supplement to an act to incorporate the Pittsburg gas company," approved January thirty-first, Anno Domini one thousand eight hundred and sixty, as requires the trustees of said company to be citizens of Pittsburg, and authorizes stockholders to vote by proxy, be and the same is hereby repealed; and hereafter any stockholder residing in the county of Allegheny shall be eligible to the office of trustee of said company.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 386.

## A N A C T

Appointing Commissioners to lay out a State Road in the county of Delaware and city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Bunting, S. Ketchley Morton, Lewis Miller, Edward Garrett, and James Neill, of Delaware county, and John J. Hoopes, John Dick, and Samuel Gilson, of the city of Philadelphia, are hereby appointed commissioners to lay out a state road from a point on Bunting's lane or street, and the intersection of Church lane, in the county of Delaware, to the Darby plank road, in the city of Philadelphia. Commissioners.

SECTION 2. That when the said road shall have been surveyed and located, it shall be the duty of the said commissioners to make out a draft of the same, which shall be filed of record in the court of quarter sessions in the counties of Delaware and Philadelphia; and when so filed, said draft and the record thereof shall be legal evidence in all things relating to the same, and said road from thence is declared to be a public road. Drafts.

SECTION 3. When the said road shall have been laid out and located as aforesaid, it shall be the duty of the commissioners of Delaware county and of the city of Philadelphia, to cause to be erected a bridge over Cobb's creek, on the line of the said road, one-half the cost whereof shall be defrayed by each county; and upon the refusal or neglect of either of said boards of commissioners of said counties, to perform the duties hereby enjoined, it shall be lawful for the commissioners of either of said counties, to cause the said bridge to be erected and to recover the cost of the same from the county neglecting or refusing to perform the duties hereby enjoined. Bridges to be erected, cost of.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. COURTIN.

No. 387.

## AN ACT

To incorporate the Hahnemann University of Medicine of the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles J. Hempel, Wm. A. Reed, J. J. Griffith, Wm. Radde, Jr., Robert P. King, John Steen, J. Jenkins, J. E. Brown, S. Wheaton Smith, and their associates and successors, be and are hereby constituted a body politic and corporate in law, by the name, style and title of the Hahnemann University of Medicine of the city of Philadelphia, and by that name shall have and enjoy perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere; and shall be able and capable in law and equity to take, purchase, hold and receive to them and their successors and assigns, lands, tenements, goods, chattels, sum or sums of money, by gift, grant, bargain or sale, will devise or bequest from any person or persons whatsoever, and the same to grant, bargain, sell, mortgage and convey in such manner as the said corporation shall deem proper; and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever; and to make and have and use a common seal, under and by which all deeds, certificates, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same to alter and renew at pleasure; and generally to do all things which may be lawful or necessary for the well-being and proper management of the said corporation: *Provided,* That the real estate which the said corporation shall at any time possess, shall not exceed the clear yearly value of twenty thousand dollars.

**Corporators.**      *SECTION 1.* *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles J. Hempel, Wm. A. Reed, J. J. Griffith, Wm. Radde, Jr., Robert P. King, John Steen, J. Jenkins, J. E. Brown, S. Wheaton Smith, and their associates and successors, be and are hereby constituted a body politic and corporate in law, by the name, style and title of the Hahnemann University of Medicine of the city of Philadelphia, and by that name shall have and enjoy perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere; and shall be able and capable in law and equity to take, purchase, hold and receive to them and their successors and assigns, lands, tenements, goods, chattels, sum or sums of money, by gift, grant, bargain or sale, will devise or bequest from any person or persons whatsoever, and the same to grant, bargain, sell, mortgage and convey in such manner as the said corporation shall deem proper; and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever; and to make and have and use a common seal, under and by which all deeds, certificates, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same to alter and renew at pleasure; and generally to do all things which may be lawful or necessary for the well-being and proper management of the said corporation: *Provided,* That the real estate which the said corporation shall at any time possess, shall not exceed the clear yearly value of twenty thousand dollars.

**Style.**              *SECTION 1.* *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles J. Hempel, Wm. A. Reed, J. J. Griffith, Wm. Radde, Jr., Robert P. King, John Steen, J. Jenkins, J. E. Brown, S. Wheaton Smith, and their associates and successors, be and are hereby constituted a body politic and corporate in law, by the name, style and title of the Hahnemann University of Medicine of the city of Philadelphia, and by that name shall have and enjoy perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere; and shall be able and capable in law and equity to take, purchase, hold and receive to them and their successors and assigns, lands, tenements, goods, chattels, sum or sums of money, by gift, grant, bargain or sale, will devise or bequest from any person or persons whatsoever, and the same to grant, bargain, sell, mortgage and convey in such manner as the said corporation shall deem proper; and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever; and to make and have and use a common seal, under and by which all deeds, certificates, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same to alter and renew at pleasure; and generally to do all things which may be lawful or necessary for the well-being and proper management of the said corporation: *Provided,* That the real estate which the said corporation shall at any time possess, shall not exceed the clear yearly value of twenty thousand dollars.

**Powers.**            *SECTION 1.* *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles J. Hempel, Wm. A. Reed, J. J. Griffith, Wm. Radde, Jr., Robert P. King, John Steen, J. Jenkins, J. E. Brown, S. Wheaton Smith, and their associates and successors, be and are hereby constituted a body politic and corporate in law, by the name, style and title of the Hahnemann University of Medicine of the city of Philadelphia, and by that name shall have and enjoy perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere; and shall be able and capable in law and equity to take, purchase, hold and receive to them and their successors and assigns, lands, tenements, goods, chattels, sum or sums of money, by gift, grant, bargain or sale, will devise or bequest from any person or persons whatsoever, and the same to grant, bargain, sell, mortgage and convey in such manner as the said corporation shall deem proper; and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever; and to make and have and use a common seal, under and by which all deeds, certificates, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same to alter and renew at pleasure; and generally to do all things which may be lawful or necessary for the well-being and proper management of the said corporation: *Provided,* That the real estate which the said corporation shall at any time possess, shall not exceed the clear yearly value of twenty thousand dollars.

**Seal.**                *SECTION 1.* *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles J. Hempel, Wm. A. Reed, J. J. Griffith, Wm. Radde, Jr., Robert P. King, John Steen, J. Jenkins, J. E. Brown, S. Wheaton Smith, and their associates and successors, be and are hereby constituted a body politic and corporate in law, by the name, style and title of the Hahnemann University of Medicine of the city of Philadelphia, and by that name shall have and enjoy perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere; and shall be able and capable in law and equity to take, purchase, hold and receive to them and their successors and assigns, lands, tenements, goods, chattels, sum or sums of money, by gift, grant, bargain or sale, will devise or bequest from any person or persons whatsoever, and the same to grant, bargain, sell, mortgage and convey in such manner as the said corporation shall deem proper; and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever; and to make and have and use a common seal, under and by which all deeds, certificates, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same to alter and renew at pleasure; and generally to do all things which may be lawful or necessary for the well-being and proper management of the said corporation: *Provided,* That the real estate which the said corporation shall at any time possess, shall not exceed the clear yearly value of twenty thousand dollars.

**Proviso.**           *SECTION 1.* *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles J. Hempel, Wm. A. Reed, J. J. Griffith, Wm. Radde, Jr., Robert P. King, John Steen, J. Jenkins, J. E. Brown, S. Wheaton Smith, and their associates and successors, be and are hereby constituted a body politic and corporate in law, by the name, style and title of the Hahnemann University of Medicine of the city of Philadelphia, and by that name shall have and enjoy perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere; and shall be able and capable in law and equity to take, purchase, hold and receive to them and their successors and assigns, lands, tenements, goods, chattels, sum or sums of money, by gift, grant, bargain or sale, will devise or bequest from any person or persons whatsoever, and the same to grant, bargain, sell, mortgage and convey in such manner as the said corporation shall deem proper; and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever; and to make and have and use a common seal, under and by which all deeds, certificates, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same to alter and renew at pleasure; and generally to do all things which may be lawful or necessary for the well-being and proper management of the said corporation: *Provided,* That the real estate which the said corporation shall at any time possess, shall not exceed the clear yearly value of twenty thousand dollars.

**Object.**            *SECTION 2.* The object and design of said corporation shall be the establishment of a university in the city of Philadelphia, which shall include a hospital, for the study of clinical medicine and practical surgery, in which shall be taught all the sciences recognized as belonging to the domain of medicine, in the manner that may be determined from time to time by the proper officers of said corporation, and as the same may be set forth in the by-laws and regulations; and for this purpose the said corporation is hereby vested with all the rights, privileges and immunities of other medical colleges chartered by this state.

**Capital stock.**    *SECTION 3.* The capital stock of the said corporation shall consist of one hundred thousand dollars, to be divided into two thousand shares of fifty dollars each, on which no dividend exceeding six per centum per annum shall ever be declared; but the surplus, if any, shall be devoted to improving the university and enlarging its usefulness; and the members of said corporation may organize the same whenever one hundred shares of the stock shall be subscribed, and at all elections the

**Limitation of dividend.**

**Surplus, how appropriated.**

**Organization.**

holder of each share of stock shall be entitled to one vote for Votes.  
each share held by him.

SECTION 4. That the said corporation shall have full power By-laws.  
to make and establish by-laws for the proper administration of  
the university, and for the due management and government  
of the said corporation, and the same to amend, alter or repeal  
at pleasure.

SECTION 5. That no misnomer of the said corporation shall Misnomer.  
defeat any intended gift, grant, conveyance, devise or bequest  
thereto, nor any act or deed intended to be done or made  
thereby.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand  
eight hundred and sixty-one.

A. G. CURTIN.

No. 388.

## A N A C T

To authorize the examination of the Claim of Charles Miller.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the attorney general, auditor general and state treasurer be and they are hereby authorized and required to examine the claim of Charles Miller, for balance due him on account of wood furnished the commonwealth, and report the same to this or the next legislature.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand  
eight hundred and sixty-one.

A. G. CURTIN.

No. 389.

## AN ACT

Relative to the Lien of Legacies.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any legacy or legacies shall have been or shall hereafter be charged as a lien upon any lands in this commonwealth, by virtue of any last will and testament, or whenever it shall be claimed that such legacy has been so charged, it shall be lawful for the devisee of such land, or any owner thereof, claiming under such devisee, to pay into the orphans' court of the county wherein the land is situated, the full amount of such legacy; whereupon the said court shall make a decree discharging the land, so devised, from the lien of such legacies, or from so much thereof as may have been paid into court as aforesaid, which decree shall be entered of record in said court, and certified copies thereof may be recorded in the office for recording deeds in the proper county, in the same manner and with like effect as other papers, relating to the title to lands, may by law be recorded.

Devisee or owner  
authorised to  
pay into orphans'  
court full amount  
of legacy.

Decree of court  
discharging land  
from lien.

Distribution.

**SECTION 2.** Upon the application of any party paying into court the amount of any legacy, or of any legatee or other person claiming the same, the court shall, after notice to the parties interested, make distribution of the money so paid into court, in the manner provided for the distribution of the proceeds of sheriff's sales, when paid into court, and direct it to be paid out to the parties who may be legally entitled to receive the same.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 390.

## AN ACT

To prevent the spreading and introduction of the Canada Thistle in certain counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That every owner, possessor or occupier of land in the counties of Lancaster, Washington, Fayette, Delaware and Erie, shall cut or mow all the Canada thistles growing thereon or in the highways adjoining the same, so often as to prevent their going to seed; and if any owner, possessor or occupier of land knowingly shall suffer any such thistles to grow thereon or in any highway adjoining the same, and the seed to ripen, so as to cause or endanger the spreading thereof, he shall forfeit and pay the sum of ten dollars; and any person may enter on the land of another who shall neglect or refuse to cut or mow down such thistles, for the purpose of cutting or mowing the same down, and shall not be liable to be sued in an action of trespass therefor. The spreading of Canada thistles prohibited. Penalty.

SECTION 2. That if any person in said counties shall knowingly vend any grass or other seed in which there is any seed of the Canada thistle, such person shall, for every such offence, be fined the sum of twenty dollars. Penalty for vending certain seed.

SECTION 3. That all fines accruing under the provisions of this act, shall be collected before a justice of the peace, in the name of the school directors of the proper district, and be for the benefit of the schools in the district in which the fine is incurred. Fines, how collected.

SECTION 4. That the provisions of this act shall extend to the county of Washington, not only for the Canada but for all other species of thistle. Extended to all other species of thistle in Washington county.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 391.

## AN ACT

Relating to Restaurants and Beer Houses in the counties of Lancaster, Chester and Delaware.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "A further supplement to an act to regulate the sale of intoxicating liquors," approved the second day of April, Anno Domini one thousand eight hundred and sixty, be and the same are hereby extended to the counties of Lancaster, Chester, Delaware, Tioga and Crawford; and all acts and parts of acts now in force in said counties, inconsistent herewith, be and the same are hereby repealed.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 392.

## AN ACT

Relating to the Estate of Samuel Grimes, late of Centre county, deceased.

**WHEREAS**, Samuel Grimes, late of Ferguson township, Centre county, deceased, did by his last will and testament bequeath all his estate to the children of his son, John Grimes, to be paid when the youngest of said children arrives at the age of twenty-one years:

*And whereas*, The estate of the said Samuel Grimes is invested in a first judgment lien entered in the court of common pleas of said county of Centre, against the real estate of said John Grimes, the father of the said legatees:

*And whereas*, The summary collection of said judgment would unnecessarily sacrifice the interests of said minor children.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

no writ of *venditioni exponas* shall issue or be enforced out of the court of common pleas of Centre county, upon said judgment, without the consent of the guardian of said minor children being first had in writing, and filed among the records of said court: *Provided*, That this act shall not be so construed as to prevent the collection of so much of said judgment as may be necessary to pay the just debts, funeral expenses, and costs of administration of said testator.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 393.

## A FURTHER SUPPLEMENT

To an act to incorporate the Bedford Mineral Springs Association, approved March seventeenth, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on or before the first day of October annually hereafter, the president and directors of the Bedford Mineral Springs company shall make out and publish in pamphlet form, or in one or more of the newspapers published at Bedford, a detailed statement and report of their proceedings, including the receipts and expenditures, and dividends, if any, for the then preceding year; said report, if published in pamphlet form, to be distributed to the stockholders, and the first report to contain a statement in detail of the affairs of the company, from the beginning thereof to the date of the report.

Report to be published and distributed.

SECTION 2. That at the elections for president and directors hereafter, each stockholder owning ten or less than ten shares of stock, may, in person or by proxy, cast one full vote for each share of stock owned by him, and each stockholder owning more than ten shares of stock may, in person or by proxy, cast one full vote for each of his first ten shares of stock, one-half of one full vote for each share of stock he owns between ten and twenty, and one-fourth of one full vote for each share of stock he owns between twenty and forty, and one-fifth of one full vote for each share of stock he owns over forty; and the votes shall be taken and counted at and for the numbers and

Votes.



**Proviso.** value aforesaid, and for no more: *Provided however*, That no stockholder shall directly or indirectly, by transfers of stock made for that purpose or otherwise, vote more than one-fifth of the whole number of votes to which the whole of the stockholders are entitled by this section.

**Repeal.** SECTION 3. That so much of the act and its supplements to which this is a supplement, as is inconsistent herewith, be and the same is hereby repealed.

**When to go into effect.** SECTION 4. That this act shall not go into effect until the same shall be first approved by a majority, in number, of the stockholders of said company, at a meeting called for that purpose by any three of their number, of which two weeks notice shall be given in two papers published in the county of Bedford.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 394.

## AN ACT

To run and fix a portion of the Line between Luzerne and Columbia counties.

**Commissioners.** **Duties.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Sturdevant and P. C. Wadsworth, of Luzerne county, and George Mack, of Columbia county, be and are hereby appointed commissioners to run, adjust and fix the boundary line between the counties of Luzerne and Columbia, along the west side of Huntington township, in Luzerne county, from the south-west corner of Huntington township; thence along the westerly boundary of farms and surveys of Huntington township to the south-west corner of Fairmount township, in Luzerne county.

**Drafts.** SECTION 2. That said commissioners shall make a draft of the line so run by them, and deposit a copy of the same in the office of the clerk of the court of the counties of Luzerne and Columbia respectively, after which the same shall be the line between said counties.

**Compensation.** SECTION 3. That each of said commissioners shall for their services receive three dollars per day, to be paid equally by Luzerne and Columbia counties, they being duly sworn or

affirmed before entering on the duties enjoined upon them by this act.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 395.

# A N A C T

To authorize the Removal of the Dead from the Burying Ground ceded to a Society of the Church of England in August twenty-seventh, one thousand seven hundred and seventy-two, by Patterson and Lowdon, southeast corner of King and Second streets, Northumberland, Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the trustees of Saint Mark's Protestant Episcopal church of Northumberland, are hereby authorized and empowered to remove from the grounds connected with said church, the remains of all the dead interred therein, and to re-inter the same in such lots in the cemetery adjacent to Northumberland or elsewhere, as the friends and relations of the dead may select and pay for; but if no such selection be made, then to have the same interred in such lots in said cemetery as the said vestry shall select, provide and pay for; those who have no tomb stones, or cannot by any other means be identified, may be interred as the trustees may elect.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## LAWS OF PENNSYLVANIA,

No. 396.

## AN ACT

For the re-examination of the Claim of James J. Dull.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the claim of the said James J. Dull be referred back to Eli Slifer, Thomas E. Cochran and William Overfield, who are hereby authorized and required, within thirty days after the passage of this act, to re-examine and settle and adjust said claim, on principles of equity and justice; and said commissioners, if they deem proper, shall have authority to allow said Dull interest on his claim against the commonwealth for the same period of time that interest was charged in favor of the commonwealth on its account against him; and when the report of the said commissioners, or a majority of them, shall have been made and filed in the office of the auditor general, the amount, if any, found due to said Dull shall be paid out of any money in the treasury not otherwise appropriated.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 397.

## AN ACT

For the Relief of Emmor Walton, late Treasurer of Bucks county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and state treasurer are hereby authorized and required to open and re-state the accounts of Emmor Walton, late treasurer of Bucks county, and to allow said Walton a credit of fifty-one dollars and thirty cents, the amount paid by*

him for advertising mercantile license, and not allowed him in said settlement.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 398.

## AN ACT

For the formation of a New Election District in the county of Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of holding the general fall elections or special elections to fill vacancies in offices usually filled at said general fall elections, so much of the townships of North Whitehall and South Whitehall, in the county of Lehigh, as are embraced within the following boundaries, viz: A line commencing at the north-eastern corner of the present boundaries of the borough of Allentown, at the river Lehigh; thence following said borough line to a wooden bridge over the Jordan creek, near Allentown iron works; thence following the public road leading from said bridge to Roth's tavern; thence along the public road to Deshler's mill; thence along the public road leading to Catawauqua, to the north end of the stone bridge across the Jordan creek, at I. Newhart's; thence in a straight line to Kohler's mill; thence following the public road to Seigfried's bridge; thence to the shore of the Lehigh river; thence along the shore of said river to the place of beginning, shall hereafter form a separate election district. New election district formed.

Boundaries.

SECTION 2. That the assessors of the said townships of North and South Whitehall shall make a separate assessment of such of the taxable inhabitants of their respective townships as shall reside within the limits of said new election district, and shall furnish to the judge of the elections of the new district hereby created, a list of said taxable inhabitants, at the usual time for election purposes; and that three lists of the qualified voters of said district shall be posted up in the most public places in said district, as provided by the general election laws of this commonwealth; and public notice shall be given by the proper officers Duties of assessors.  
Notice of elections.

in reference to the elections to be held in said district, as is provided for by law in other cases.

Judge and inspectors of elections.

SECTION 3. That on the said general election of each and every year, the qualified voters of said district shall elect one person as judge and two persons as inspectors, for the purpose of holding said elections in said district; and that for the purpose of holding the first fall election and the first election under this act, Theodore H. Green shall be the judge, and Peter Miller and Jacob Sherer the inspectors; that the elections for said new district shall be held at the public house now occupied by William W. Hammersly, in the village of Hokendauqua.

Commissioners to fix the lines.

SECTION 4. That P. A. Ashbach, Samuel M'Hose and Preston Brock, be and are hereby appointed commissioners to fix the lines of said new election district, who shall be entitled to such compensation out of the county treasury as shall be deemed just and equitable by the commissioners of the county of Lehigh.

Elections for township officers.

SECTION 5. That at all elections for school directors and other township officers, the electors residing within the bounds of the new district shall vote, as heretofore, in their respective townships.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 399.

## AN ACT

Relating to the Belmont Avenue and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of section eleven of the act of assembly approved January 22d, 1849, entitled "An Act regulating turnpike and plank road companies," as restricts the grade and width of the Belmont avenue and plank road, be and the same is hereby repealed, as far as regards said road: *Provided,* That the grade thereof shall not exceed six degrees from a horizontal line.

Repeal of certain restrictions.

proviso.

When tolls may be received.

SECTION 2. That whenever said company shall have finished two miles, or more, of their road, they shall have power to erect gates and receive tolls upon the portion so finished, agreeably to the conditions and restrictions of sections twelve

and thirteen of the aforesaid act of assembly, entitled "An Act regulating turnpike and plank road companies."

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domin one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 400.

## AN ACT

Fixing the places of holding Elections in the Second and Third wards of the city of Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the thirty-seventh section of an act, entitled "An Act to incorporate the city of Harrisburg, in the county of Dauphin," be and the same is hereby repealed, so far as it relates to the places of holding elections in the Second and Third wards of said city, on the completion of the new court house, and that the elections be continued in the Second and Third wards of said city, at the places designated in said thirty-seventh section incorporating the city of Harrisburg, before the completion of said court house.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 401.

## AN ACT

To confirm a part of the Survey of the 12th Section of the Survey of Blockley, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the plan of the 12th section of the survey of Blockley, as approved by the board of surveyors of the city of Philadelphia, being plan number nineteen on file in the office of the department of surveys of said city, be and the same is hereby confirmed, and the streets and avenues all fixed and established as they are marked and located on said plan.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 402.

## A FURTHER SUPPLEMENT

To the act incorporating the Shrewsbury and Hopewell Plank Road Company, of the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and managers of the Shrewsbury and Hopewell plank road company, in the county of York, are hereby authorized to vacate all of said road lying east of the York and Maryland Line turnpike, to its terminus, at the public house of Martin Jailor, in Hopewell township, in said county; and the part of said road so vacated is hereby declared to be a public high-*

way, subject to all the provisions of the road laws of said county, and the several supplements thereto.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 403.

## AN ACT

Authorizing surviving Executors and Administrators to execute and deliver Deeds of Conveyance in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where a sale of the real estate of a decedent shall be made by executors or administrators, or guardians, under an order of the orphans' court, if one or more of such executors or administrators, or guardians, shall die or be discharged before a conveyance is made to the purchaser, it shall and may be lawful for the surviving executor or executors, administrator or administrators, as the case may be, to execute and deliver to the purchaser a deed of conveyance for the estate so sold, on the purchaser's full compliance with the terms and conditions of sale.

Deeds of conveyance authorized in certain cases.

SECTION 2. That in all cases where a sale of the real estate of a decedent hath heretofore been made by executors or administrators, or guardians, under an order of the orphans' court, and one or more of such executors or administrators, or guardians, hath or have died before a conveyance hath been made to the purchaser, it shall and may be lawful for the surviving executor or executors, administrator or administrators, or guardians, as the case may be, to execute and deliver to the purchaser a deed of conveyance for the estate so sold, on the purchaser's full compliance with the terms and conditions of sale; that where authority is or shall be given by decree of court to trustees, or other persons, to sell real estate, and any such trustees or other persons authorized, shall have died, resigned or ceased to act, before a sale is effected or a deed executed, in all such cases sales may be effected and a deed executed by the surviving or succeeding trustee or trustees, or other persons, with as full effect, in all particulars, as if effected or executed by the persons

Sales made by executors, &c., before the passage of this act.

Surviving trustees authorized to effect sales and execute deeds.



Effect of deed.

acting in the trust, or other office, at the time a sale was originally decreed. Every deed made in pursuance of and agreeably to the provisions of this act, shall vest the property, therein described, in the grantee, as fully and effectually as if the same had been made by all the persons who may have sold any such estate circumstanced as aforesaid.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 404.

## A FURTHER SUPPLEMENT

To an act incorporating the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Philadelphia is hereby empowered to make private or public sale, and convey in fee simple or reserving ground rents, the present almshouse grounds, or any part thereof, situate in the Twenty-fourth ward of said city, containing one hundred and eighty-seven acres, more or less, and the buildings thereon erected, subject to the following conditions :

Sale of almshouse grounds and buildings authorized.

Conditions.

I. That the city of Philadelphia shall reserve a part of said ground, not exceeding forty acres, to be laid out and maintained as an open public place forever, for the health and recreation of the people.

II. That the said city shall also reserve at Pine and South streets, on the river Schuylkill, pieces of ground sufficient, in the opinion of the chief engineer and surveyor of said city, for abutments and approaches thereto, for a bridge or bridges, which may be lawfully authorized to be erected at either of said streets.

City may purchase land and erect almshouse.

SECTION 2. That the city of Philadelphia is hereby empowered to purchase land and erect thereon an alms or poor house, (with or without a house of correction and employment, as may be deemed expedient,) and in payment thereof to create a loan which shall be exempt from state tax.

Proceeds of sale, how applied.

SECTION 3. That the proceeds arising from the sale of the grounds and buildings specified in the first section of this act, shall be specifically applied to and pledged for the payment of the loan authorized by the second section of this act; and if

ground rents shall be reserved, or mortgages taken in payment, the same, when sold or paid off, shall be applied to and for the same purpose.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 405.

SUPPLEMENT

To an act relating to Corporations, passed the twenty-sixth day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That aliens may hereafter purchase and hold real estate in this state not exceeding in quantity five thousand acres, nor in net annual income twenty thousand dollars; and whensoever any alien or corporation in this state or elsewhere has acquired any real estate, without the authority of law or in excess of the limit of law, and shall have hereintofore conveyed the same unto any person or persons authorized by law to hold the same, the title thereto shall be indefeasible by the commonwealth by any subsequent proceeding.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 406.

## A FURTHER SUPPLEMENT

To an act to incorporate the Monongahela Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in addition to the remedy provided by the act to which this is a supplement, for the recovery of water rents due the Monongahela water company, the said water company shall have a lien upon the real estate and premises of the owner or owners where the water shall be used, for the amount of said water rents; and charges and payment of said lien may be enforced, and said water rents recovered by action of debt against said owner or owners, as debts of like amount are now by law recoverable.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 407.

## A N A C T

Relating to the Collection of Taxes in Marietta, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the first section of the act of twelfth April, 1852, entitled "An Act relating to the collection of taxes in certain townships in Lancaster county, and for other purposes," be and the same are hereby extended to the borough of Marietta, Lancaster county.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 408.

## A FURTHER SUPPLEMENT

To the act relating to Roads and Bridges in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section one, of the act, entitled "A further supplement to an act relating to roads and bridges in the county of York," approved the second day of March, A. D. 1861, be construed so as to apply to all cases pending in the court of quarter sessions, which had not then been finally adjudicated, and the decisions of the court placed on record.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 409.

## AN ACT

Relative to the Escheated Estate of William Morris, late of Delaware county, deceased.

WHEREAS, William Morris, a colored man, who had been a slave in the state of Maryland, late of the county of Delaware, deceased, by a certain indenture, made by John Gamall, junior, and wife, bearing date the ninth day of November, A. D. one thousand eight hundred and twenty-nine, recorded in the recorder's office of said county, in deed book R, page 633, &c., became lawfully seized of a certain tract of land, in the township of Middletown, in said county, in the said indenture particularly described, containing ten acres, and died some time in the year one thousand eight hundred and thirty-four:

And whereas, After the death of the said Morris, a colored man named John Armstrong, who had also been a slave in the state of Maryland, entered into possession of the said land without title, and resided thereon till A. D. one thousand eight hundred and fifty-four, when he died without issue, leaving a widow, Mary Armstrong, to whom, by his will, he devised the said land:

*And whereas*, The said John Armstrong, in the year one thousand eight hundred and thirty-five, borrowed of Mary Pennell the sum of one hundred and fifty dollars, to secure the payment of which he gave a mortgage on the said premises, which is recorded in the recorder's office of said county, in mortgage book F, page 54, which was subsequently assigned to Charles Bond, who now holds the same, and which has never been paid, and upon which there is due the said bond, including principal and interest, the sum of three hundred and thirty dollars and seventy-six cents:

*And whereas*, Mary Armstrong, widow aforesaid, by her indenture bearing date the eleventh day of February, A. D. one thousand eight hundred and fifty-nine, in consideration of a support for life, and the sum of five dollars, conveyed the said land to Henrietta Hall, a colored woman, wife of William Hall, and continued to reside thereon until the year A. D. one thousand eight hundred and sixty, when she died:

*And whereas*, After the death of the said Mary Armstrong, to wit: On the twenty-first day of December, A. D. 1860, a jury of inquisition in escheat, lawfully summoned and empaneled, and after being duly sworn and affirmed, and after hearing the witnesses produced before them, found that the land aforesaid, as the estate of the said William, deceased, had escheated to the commonwealth of Pennsylvania:

*And whereas*, The debts due to sundry persons by the said John and Mary Armstrong, including the mortgage aforesaid, amount to the sum of seven hundred and sixty-seven dollars and twenty-six cents:

*And whereas*, The present value of the said land, as made by three competent persons, acquainted with the value of land in the same neighborhood, is seven hundred and fifty dollars; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all the right, title, claim and interest, which the commonwealth has acquired in the said land for want of heirs or known kindred of William Morris in the same, be and the same is hereby granted to and confirmed in the said Henrietta Hall, in fee simple, subject to the payment of the debts aforesaid, of the said John and Mary Armstrong, and also of the fees, costs and expenses of the said proceedings in escheat, to the extent the said commonwealth would be liable if this act had never been passed: *Provided*, That the said Henrietta Hall and William Hall shall execute a mortgage of the said premises to the said Charles Bond, to secure the amount him, which shall be the first lien thereon: *And provide*, That nothing in this act shall affect the right of the commonwealth under the laws relating to collateral inheritances.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 410.

## A N A C T

Repealing an act giving a Bounty on Muskrat Scalps in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act, entitled "An Act giving a bounty on muskrat scalps in Centre and York counties, and Bald Eagle and Beach Creek townships, in Clinton county," approved the twenty-sixth day of February, A. D. 1861, as relates to the county of York, be and the same is hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 411.

## A N A C T

Relative to the Coroners and Sheriffs of the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act relative to the coroners of Berks and Lancaster counties," approved the eighth day of February, one thousand eight hundred and forty-eight, be and the same is hereby extended to the county of Armstrong.

Act relative to coroners extended.

SECTION 2. That from and after the passage of this act, the sheriff of Armstrong county shall receive from the treasury of said county, the sum of twelve dollars, together with the usual mileage, for each and every convict by him conveyed to the Western penitentiary.

Fees of sheriff for conveying convicts to penitentiary.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 412.

## A N A C T

To extend the provisions of an act of Assembly for the Better Securing the Payment of the Wages of Labor in certain counties of this Commonwealth, approved the thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine, to the counties of Columbia and Montour.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the provisions of an act of assembly of this commonwealth, approved the thirtieth day of March, eighteen hundred and fifty-nine, entitled "An Act for the better securing the payment of the wages of labor in certain counties of this commonwealth," be and the same are hereby extended to the counties of Columbia and Montour; and said extended act shall apply to and embrace all person or persons, or chartered companies, engaged in the mining of iron ore or the manufacture of iron, within the said counties of Columbia and Montour, as is provided in said extended act for all persons or corporations engaged in the mining of coal.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 413.

## A S U P P L E M E N T

To the act to enable Joint Tenants, Tenants in Common, and adjoining owners of Mineral Lands in this Commonwealth, to develop the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of an act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this commonwealth, to develop the same, passed the twenty-first day of

April, one thousand eight hundred and fifty-four, and the supplements thereto, be and the same are hereby extended to mining for carbon oils, manufacturing, refining and selling, or conveying the same to market.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 414.

## A SUPPLEMENT

To an act incorporating the Institution of Protestant Deaconesses of the county of Allegheny.

WHEREAS, The Rev. W. A. Passavant and the Rev. Gottlieb Bassler, by the aid of sundry charitable persons, have established an institution known as the Orphans' Home of the Evangelical Lutheran church, which is located for the present at Pittsburg, Pennsylvania, and a second institution known as the Orphans' Farm school of the Evangelical Lutheran church, which is permanently located at Zelienople, Pennsylvania, in order that destitute children, who have been deprived of both their parents, may enjoy the benefits of a christian home and training, without reference to the place of their birth or the creed of their parents: Preamble.

*And whereas,* They have placed the same under the immediate supervision and control of the board of managers of the aforementioned Institution of Protestant Deaconesses of the county of Allegheny, Pennsylvania; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Rev. W. A. Passavant and Rev. Gottlieb Bassler, are hereby authorized and empowered to assign, convey and transfer to the corporation of the aforementioned Institution of Protestant Deaconesses, all property, real, personal and mixed, held by them in trust for the purposes of the said Orphans' Home and the said Orphans' Farm school; subject, however, to the same trusts and considerations upon which they hold the same; and that any other person or persons now holding or who may hereafter hold any goods, chattels or property, real or mixed, in trust for the use of the said orphans' institutions, are hereby authorized to convey, transfer, grant and make over the same Transfer of certain property authorized.  
Subject to.



to the aforementioned corporation; subject, however, to the trusts and conditions under which the same is or may be held by such person or persons.

Directors, how appointed.

SECTION 2. That the board of managers of the aforementioned Institution of Protestant Deaconesses shall have the appointment of a director for the Orphans' Home and a director and head master for the Orphans' Farm school, whose duties shall be defined in the rules and regulations which may be adopted by the board for the government of these institutions.

Duties.

Executive committees, how appointed and constituted.

SECTION 3. That the aforementioned board of managers shall, at their next annual meeting, and annually thereafter, duly appoint an executive committee for each of the aforementioned institutions, which, in the case of the Orphans' Home, shall consist of its director, and the director and directing sister of the Deaconess institution, together with two other members of the corporation; and for the Farm school, shall consist of the director of the Deaconess institution, the director and the head master of the Farm school, together with one other person, residing in the immediate vicinity, who shall hold monthly or

Duties and powers.

quarterly meetings, as may be necessary; and shall be intrusted with the more immediate care and management of their respective institutions, such as the appointment of the matrons, assistants and domestics, the internal arrangements of the house and school, the buildings and grounds, and the carrying out of such improvements as may be determined upon by the board of managers: *Provided however*, That all rules and regulations made by them for the governing of their respective institutions, shall first have received the approval of the board of managers: *And provided likewise*, That under no circumstances shall the property of the institution be disposed of, or be incumbered with debts for the improvement of the grounds or buildings, without the authority and appointment of the aforesaid board of managers.

Provide.

Provide.

Orphan children, relative to.

SECTION 4. That the above named institutions shall have full authority to receive orphan children, of the required age and character, as inmates, and to have them legally indentured by their proper guardians or friends; and that the executive committee of each institution shall be authorized to indenture such of the orphans as have remained the required period, to responsible persons, who will give them the necessary trade for their maintenance in after life.

Board of visitors.

SECTION 5. That Rev. C. W. Schaeffer, W. M. Heyl, Rev. H. S. Miller, Rev. E. Greenwald, W. M. Kemp, Rev. F. W. Conrad, Rev. J. R. Schock, Rev. C. A. Hay, Rev. J. Manning, P. Graff, Rev. D. Garver, Lewis Heyl, Rev. J. Fry, L. L. Houpt, Rev. W. S. Emry, George Black, C. Yeager, Rev. R. Hill, C. Nittenauer, C. S. Passavant, Rev. L. M. Kuhns, Rev. W. Berke-meier, Rev. W. F. Ulery and Rev. A. H. Waters, and their successors, shall constitute a board of visitors, ten of whom shall be a quorum for the transaction of business, who shall meet annually, on the second Wednesday in July, at the Home, and on the day following at the Farm school, to examine, and report for publication, the condition and management of the institutions aforesaid, for which purpose they shall have free access to all the buildings and apartments belonging thereto, and the in-

Duties and privileges.

spection of all books, papers and accounts relating to the management thereof; and it shall be their special duty to investigate, and in their report set forth, whether the children in these institutions are daily and diligently instructed in the Holy Scriptures, whether the purposes contemplated in the establishment of these institutions are sacredly kept in view, and to investigate, and in their report set forth, any discrimination which might, at any time hereafter, be made in favor of children whose parents are from one county or of one creed, over others, either in their admission or their treatment, to the end that such abuse may be speedily corrected. All vacancies in the aforementioned board of visitors shall be filled by the board of managers, at their regular annual meetings. Vacancies.

SECTION 6. That any contributor who has already, or who shall hereafter subscribe the sum of one thousand dollars, at a single benefaction, or who having subscribed a less sum, shall increase the same to one thousand dollars, on payment of the same into the treasury, shall be entitled to become a patron for life, and shall have the right to nominate and send one orphan into either of the institutions: *Provided*, That the person so nominated, shall be of the condition, and fall within, and comply with the rules which may be established for their government; and the same privileges and rights shall be conferred on any church, school, or benevolent society, who shall make an annual contribution for the benefit of these institutions, amounting to the sum of seventy-five dollars annually. Contributors. Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 415.

## A N A C T

Authorizing the Trustees of the Lutheran Parsonage of Lehigh township, Northampton county, to sell and convey certain Property.

WHEREAS, The elders of the several Lutheran congregations of the townships of Allen, Lehigh, and Moore, of Northampton county, and Towamensin, of Carbon county, all of the state of Pennsylvania, owning and possessing a certain Lutheran parsonage, situated in Lehigh township, Northampton county aforesaid, to be and remain forever the Lutheran parsonage,

## LAWS OF PENNSYLVANIA,

having become unsuitable and unfit for the use aforesaid, and due and timely notice having been given at the several congregations, of an election, and at said election of all the congregations, a majority having voted and decided that the same should be sold and a more suitable lot or piece of land be bought for the same purpose; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Reuben Kunce, of Lehigh township, Samuel Hummel, of Allen township, Joseph Bauer, of Moore township, Northampton county, and Henry Bowman, of Carbon county, trustees, which persons having been appointed by the several Lutheran congregations, be authorized to make sale of said parsonage, and purchase a more suitable parsonage, to be and remain the parsonage of the said several Lutheran congregations, as heretofore.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 416.

## A N A C T

Relating to the time of holding Courts in the Fourth Judicial District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the first day of August next, the regular terms of the courts in the fourth judicial district of this commonwealth shall be held, commencing as follows: In the county of Tioga, on the first Mondays in September, December, February and June; in the county of Potter, on the fourth Mondays in the same months; in the county of M'Kean, on the first Monday after the fourth Mondays in September, December, February and June; in the county of Elk, on the Mondays next succeeding the courts in M'Kean county; and in the county of Cameron, on the Mondays next succeeding the courts in Elk. Each

term of said courts in the county of Tioga to continue two weeks, and in the other counties in said district one week.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 417.

## A N A C T

Supplementary to the acts relating to Hawkers and Pedlers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, no person or persons shall sell or expose to sale within the counties of Delaware and Huntingdon, as a hawker, pedler or traveling merchant, any foreign or domestic goods, wares or merchandise, under the penalty of fifty dollars for each and every offence, to be recovered by action of debt, before any alderman or justice of the peace, as debts of like amount are by law recoverable, by any person who may sue for the same; one-half to the informer and the other half to the use of the county in which the offence may have been committed; *Provided,* That this act shall not be so construed as to apply to persons carrying goods for wholesale purposes, nor to prevent citizens of this commonwealth from hawking and peddling goods of their own manufacture.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 418.

## A N A C T

Repealing the act of thirteenth of April, one thousand eight hundred and fifty-eight, repealing an act appointing Commissioners to review and lay out a State Road from Waynesburg, in Greene county, to Benjamin Covert's, in Fayette county, and reviving the act of twelfth of April, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of April thirteenth, one thousand eight hundred and fifty-eight, entitled "An Act repealing an act appointing commissioners to review and lay out a state road from Waynesburg, in Greene county, to Benjamin Covert's, in Fayette county," be and the same is hereby repealed; and the act repealed by the same is hereby revived and continued in full force.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 419.

## A FURTHER SUPPLEMENT

To an act erecting parts of Clinton, Elk, M'Kean and Potter counties into a county to be called Cameron, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the treasurers of Clinton, Elk, M'Kean and Potter counties shall, previous to the first Monday in June, Anno Domini one thousand eight hundred and sixty-one, make out under their hands and seals of office, and transfer to the treasurer of Cameron county, certified transcripts, from their county records, of all the taxes due and unpaid for the year Anno Domini one thousand eight hundred and sixty, upon all the unseated lands situate*

within the county of Cameron; and the same shall be by the treasurer of the county of Cameron entered upon the unseated land books in his office, and shall be by him collected in the usual manner, and be paid into the treasury of the aforesaid counties of Clinton, Elk, M'Kean and Potter, by the treasurer of Cameron county as soon as collected; the treasurer of Cameron county retaining five per cent. for the collecting of said taxes.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 420.

A SUPPLEMENT

To an act to revive and continue the act authorizing the Governor to incorporate a Company for making an Artificial Road from the river Schuylkill, at Reading, in the county of Berks, to or near Hummelstown, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president, managers and company of the Berks and Dauphin turnpike road shall have full power and authority to alter and change their road, where the same passes through the lands of Mary Seltzer, widow, in Heidelberg township, Berks county, according to the survey of said change as agreed upon between said company and the said Mary Seltzer.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 421.

## A N A C T

Repealing certain Road Laws in Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That an act of assembly approved the eighth day of March, one thousand eight hundred and fifty-nine, entitled "An Act relating to road views and road damages in Northumberland county," be and the same is hereby repealed; and the general road laws of this commonwealth are hereby revived within said county: Provided however, That this act shall in no wise affect or impair any proceedings which may be now pending in the several courts of said county, pursuant to the provisions of said repealed act.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 422.

## A N A C T

To empower the Commissioners of Washington county to compromise with the holders of the County Bonds, and for the more prompt and economical Collection of Taxes in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Washington county be and they are hereby authorized and empowered to make compromises with the holders of any bond or bonds, issued by said county in payment of stock subscribed to the Hempfield railroad company, on such terms as may be agreed upon by the parties, not exceeding in any case the price paid to said railroad company for said bonds,*

Commissioners  
empowered to  
compromise.

and also to redeem the bonds already issued to the railroad company, at any time and at such rates as may be agreed upon by the parties, not exceeding, as aforesaid, the price paid to said railroad company for said bonds.

May redeem bonds.

SECTION 2. The said commissioners shall have power to levy a tax annually, not exceeding four mills on the dollar of the assessed valuation of the county, which shall be kept separate and apart from the state and ordinary taxes of said county, and shall be applied, exclusively, under the control of the commissioners, to the payment of interest upon, and the purchase or redemption of the original bonds.

Tax authorized. Limitation.

Application.

SECTION 3. That in addition to the duties and powers now imposed upon and granted to the treasurer by existing laws, he shall be charged with all taxes assessed for state, county and militia purposes, and shall be responsible on his official bond therefor, except for such sums as he may be exonerated, on account of errors and lost taxes, by the commissioners, at his annual settlement; and he shall have power to appoint sub-collectors, to collect all outstanding taxes due and unpaid on the first day of September in each and every year, and to require bond and security for the same; and the said treasurer and sub-collectors shall have the same power to enforce payment of said taxes, by levy, distress and sale of goods and chattels, as is now given by law to constables performing the same duties, and shall be entitled to add to the amount of taxes unpaid on the first day of September in each year, ten per centum, which shall be the compensation for such collection; but when levy and sale of goods become necessary, then and in that case he and they shall be entitled to the same fees in addition, as are now allowed by law to constables; and the said treasurer shall charge one per centum per month, on all moneys due and unpaid at the end of each year from that time, until payment is made, which interest shall be paid with the principal.

Additional duties and powers conferred upon treasurer.

SECTION 4. The said treasurer and sub-collectors shall have power to enforce the payment and collection of all taxes for the years one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine and one thousand eight hundred and sixty, which shall remain due and unpaid on and after the first day of July, one thousand eight hundred and sixty-one, and for which warrants are not now in the hands of responsible collectors, and to add ten per cent. thereto for collecting the same; and the said treasurer and sub-collectors are authorized to proceed to the collection thereof in the manner and for the fees and compensation specified in the third section of this act.

Collection of unpaid taxes, how enforced.

Addition of ten per cent.

SECTION 5. The outgoing treasurer of said county shall, at the expiration of his term of office, be entitled to a credit in the settlement of his account for the amount of taxes then outstanding and remaining unpaid on the duplicates in his hands; and it shall be the duty of the incoming treasurer and sub-collectors to collect the same in the manner and under the provisions of the third section of this act: *Provided*, That the provisions of this act shall not be construed so as to affect a judicial decision in regard to the liability of the said county for the pay-

Credit to be given the outgoing treasurer.

Proviso.



ment of the interest on the said bonds, prior to the completion of the road to Greensburg.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 423.

## AN ACT

Authorizing the borough of Providence, in Luzerne county, to build a Bridge across Lackawanna river.

### Preamble.

WHEREAS, The Great Bend and Philadelphia turnpike company have abandoned, for the last fifteen years, all that portion of their road running through the county of Luzerne, in this commonwealth, and the inhabitants of the respective townships and boroughs through which it is laid have been required to keep in repair said road and maintain the bridges over the streams crossing the same:

*And whereas,* The bridge across the Lackawanna river on said road, in the borough of Providence, involving an expenditure of over four thousand dollars, has been destroyed by the recent ice freshets, and rendered impassable, to the great inconvenience of a much traveled thoroughfare; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Portion of a certain turnpike made subject to general road laws.

all that portion of said turnpike road lying and being in the county aforesaid, be and is hereby declared to be subject and applicable to all the provisions of the general road laws, and of the supplements thereto, in regard to laying out, working and vacating public roads, and is hereby extended to the Great Bend and Philadelphia turnpike road; and the right to resume any part or parts of said turnpike road which is abandoned in the county of Luzerne, is thereby forfeited; and that so much of the original charter as is inconsistent herewith is hereby repealed.

### Repeal.

Repairs of road and bridges.

SECTION 2. The supervisors and burgess and council or street commissioners of the respective townships and boroughs through which said turnpike is laid, are hereby authorized and required to keep the same in repair; and that so much of the act relating

to county rates and levies and township rates and levies, and the supplements thereto, now or hereafter in force, are and shall be extended to the said turnpike road; and the burgess and council of the boroughs, or any of them, through which said abandoned turnpike passes, in said county of Luzerne, shall have the power, and are hereby empowered to levy the same amount of assessment and taxes upon the real and personal estate, offices, trades and occupations, for the purpose of repairing said road, and other roads in said boroughs, and for making and repairing bridges, and for such other purposes as is or may be authorized by law for the supervisors of the respective townships to assess and levy for the same purposes, and for discharging any just debt due for former repairs on the roads and bridges in their respective boroughs.

Taxes for the same.

SECTION 3. The burgess and council of the borough of Providence, through which said abandoned turnpike is laid, shall cause to be made a plan and specification of a bridge necessary to be erected across the Lackawanna river, on or near the site of the old bridge, and advertise for three weeks for sealed proposals for building the said bridge and furnishing materials, or for work or materials separately; and on the day appointed for opening the proposals, the said burgess and council, and the commissioners of the county of Luzerne, or a majority of them, shall meet at the time and place appointed, and shall have power to adjourn from time to time, as they may deem necessary, and shall open and examine said proposals, and award the contract separately or entire, to the lowest competent bidder, who shall be required to give approved security for the faithful performance of his or their contract, in double the amount of his or their accepted bid.

Plan of bridge.

Proposals.

Award of contract.

SECTION 4. The burgess and council of said borough of Providence shall be authorized and required to assess and levy a tax, not more than one per centum, on all real and personal property, trades and professions, or occupations, in said borough, for the purpose of building and repairing bridges across the Lackawanna river, in said borough, and to receive voluntary subscriptions and contributions to the same; and the commissioners of the county of Luzerne are hereby authorized and required to levy and assess, from time to time, as may be necessary, a sum equal to that appropriated and raised in said borough for the purpose of building any bridge or bridges across the Lackawanna river, in said borough, and pay the same to the proper treasurer of said borough, to be paid out on the proper warrant or order of the burgess, countersigned by the secretary, who shall be required to keep a correct account of the amounts so paid: *Provided*, That no order shall be drawn for any amount of work done, or material furnished, which work or material shall not have been done or furnished, and have been examined and certified, by the auditors of said borough, or a majority of them; nor shall any excess beyond the contract price be allowed by said auditors or paid by the treasurer aforesaid.

Burgess and council authorized to levy a tax.

Duty of commissioners.

Orders.

Proviso.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 424.

## A N A C T

Relating to Allegheny county.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That within twenty days after the passage of this act, the judges of the district court and the judges of the court of common pleas of the county of Allegheny, shall appoint a citizen of said county, who shall be a competent accountant, to serve as controller of said county until the first Monday in December, Anno Domini one thousand eight hundred and sixty-two, or until his successor shall be elected and qualified, if he so long behave himself well; and the qualified voters of said county shall, at the regular annual election on the second Tuesday of October, in the year one thousand eight hundred and sixty-two, and at the same election in every third year thereafter, elect one person, qualified as aforesaid, to serve as controller of said county for a term of three years from the first Monday of December then next ensuing, and until his successor shall be qualified.
- Controller to be appointed.**
- Election of controller.**
- Term.**
- Who not eligible.** **SECTION 2.** No person holding office under the United States or this state, the county of Allegheny, or any city therein, shall be eligible to the office of county controller during his continuance in office as aforesaid, nor until one year thereafter, except that the said controller shall always be eligible for re-election or appointment; and the county treasurers and commissioners shall be ineligible to said office for two years.
- Bond to be given and oath taken.** **SECTION 3.** Before entering on the duties of his office, the controller shall give bond to the county, with at least two sureties, in the sum of fifty thousand dollars, to be approved by the court of common pleas of said county, conditioned for the faithful performance of his duties and those of his chief clerk; the controller and his chief clerk shall also each take and subscribe an oath or affirmation, well and faithfully to perform their said duties, a wilful violation of which shall be perjury; said oaths and bonds to be recorded in the recorder's office in said county, and then filed and kept in the commissioners' office, and the records thereof, or certified copies of the same, shall be used in evidence in all judicial proceedings with the same effect as the originals.
- Salary.** **SECTION 4.** The salary of the controller shall be twenty-five hundred dollars per annum, to be paid quarterly out of the treasury of said county; and the controller and his chief clerk are authorized to administer oaths and affirmations in the discharge of the duties of their office, and a wilful violation of said oaths or affirmations (or false swearing before them) shall be perjury.
- May administer oaths.**
- Powers.** **SECTION 5.** The said controller shall have a general supervision and control of the fiscal affairs of the county, and of the accounts and official acts of all officers or other persons who

shall collect, receive or distribute the public moneys of the county, or who shall be charged with the management or custody thereof; and he may at any time require from any of them in writing, an account of all moneys or property of the county, which may have come into their hands or under their control; and he shall immediately on the discovery of any default or delinquency, report the same to the commissioners and to the court of common pleas of said county, and shall take immediate measures to secure the public moneys or property, and to remove the delinquent party if in office and not removed by the commissioners.

SECTION 6. He shall cause to be kept a full and regular set of books, in detail, by double entry, of all the fiscal operations of the county, embracing as many accounts, under appropriate titles, as may be necessary to show distinctly and separately, all the property of the county, its receipts and expenditures, and all debts and accounts due by or to the county by county officers, or others, the amount raised from each source of revenue, and the expenditures, in detail, and classified by reference to the objects thereof; he shall prescribe the form and manner of keeping all books and papers used by any officer, in connection with the fiscal affairs of the county; and he shall, on or before the first day of February, annually, communicate to the commissioners, in writing, a detailed estimate of the receipts and expenditures for the legitimate purposes of the county, for the current year, including interest due and to fall due on all lawful debts of the county, bearing interest; and the commissioners shall, before the fifteenth day of February thereafter, fix such rate of taxation upon the valuation of the taxable property of the county, as will raise a sum sufficient to meet the said expenditures; and the commissioners shall not, by any contract or otherwise, increase the expenses of the county in any year, to an amount beyond the taxes assessed as aforesaid, for said year.

SECTION 7. That he shall, in the month of January in every year, make a report, verified by oath or affirmation, to the court of common pleas of said county, of all the receipts and expenditures of the county, for the preceding year, in detail, and classified, as required in the sixth section of this act, together with a full statement of the financial operations and condition of the county; which report shall thereupon be published one time in two such newspapers, published in said county, as the court may direct, to be paid for out of the county treasury; which publication shall be in lieu of that required by the twenty-second section of the act of fifteenth April, Anno Domini one thousand eight hundred and thirty-four.

SECTION 8. That the controller shall keep his office in a building or rooms to be furnished at the expense of the county, and shall, after the first day of October next, furnish to the commissioners, whenever required by them, a detailed statement of the accounts of any officer or other person having in his possession or under his control, funds belonging to the county, and shall at all times, between the hours of ten o'clock A. M., and two o'clock P. M., give information respecting any of said accounts, to any tax-payer of the county demanding the same.

Claims, how presented and audited.

Evidence required.

Examination as to interest of officers in contracts.

Warrants on the treasury approved by controller.

Exception.

Contracts.

Certain warrants to be countersigned and registered.

**SECTION 9.** That he shall scrutinize, audit and decide on all bills, claims and demands, whatsoever, against the county, and all persons having such claims, shall first present the same to the controller, and if required, make oath or affirmation before him, to the correctness thereof; he may, if he deems it necessary, require evidence, by the oath or affirmation of the claimant, and otherwise, that the claim is legally due, that the supplies or services for which payment is claimed, have been furnished or performed under legal authority; he may inquire and ascertain whether any officer or agent of the county is interested in the contract under which any claim may arise, or has received or is to receive any commission, consideration or gratuity relating thereto, or whether there has been any evasion of the eleventh section of this act, by making two or more contracts for small amounts, which should have been in one; and if he shall find that there has been any evasion, or that any such officer or agent is so interested, he shall refuse to approve the claim; all claims which he shall find legally due, he shall certify to the commissioners.

**SECTION 10.** That after the controller shall have assumed the duties of his office under this act, the commissioners of said county shall draw no warrant on the treasury, for any debt, claim or demand whatsoever, not audited and approved by the controller, as provided for in the foregoing section, except for the fees of jurors, witnesses, criers and tipstaves of the several courts of Allegheny county; the amounts of said fees to be ascertained by said courts and entered on the records thereof, and duly certified by their respective clerks, to the commissioners, being first sworn to, before the controller; and said certificates shall be delivered by the commissioners to the controller, for preservation, as soon as the warrants are issued.

**SECTION 11.** That from and after the passage of this act, all contracts made by the commissioners of said county, involving an expenditure exceeding twenty dollars, shall be in writing, and shall, immediately after their execution, be filed with the controller; but no contract shall be made, nor the payment thereof certified by the controller, for over one hundred dollars, unless when made with the lowest and best bidder, after due notice, to be published by the controller, when directed by the commissioners, if he approve the purpose of the proposals invited; all bids to be received by the controller, under seal, and to be in his presence opened by the commissioners and the contracts awarded, of which awards the controller shall keep a record; and he shall certify no warrants for contracts not made agreeably thereto.

**SECTION 12.** That all warrants drawn on the county treasury by the commissioners, on certificates, as provided for in the ninth, tenth and eleventh sections of this act, shall be countersigned by the controller, who shall keep a correct register thereof, noting the number, date and amount of each, the date of payment, and to whom and for what issued; and shall report to the commissioners monthly, or oftener, if required by them, the amount of outstanding warrants registered and the amount of money in the treasury.

**SECTION 13.** The controller shall have the custody of all official bonds (except his own) given to the county, and of all title deeds to real estate owned by the county, and of all contracts entered into by or on behalf of the county, and of all books, documents and papers relating to its financial affairs, and of all bonds and other obligations issued by said county, when paid, which bonds and obligations, when so paid, shall be distinctly cancelled by him, and carefully and regularly filed, a register of which cancellation shall be kept by him, in a book to be provided for that purpose.

Custody of official bonds, deeds, books, &c.

Cancellation of bonds.

**SECTION 14.** The treasurer of said county shall pay no money out of the county treasury, except on warrants drawn by a majority of the commissioners and countersigned by the controller. His books shall, at all times during office hours, be open to the inspection of the controller; and he shall report, daily, to the controller, all moneys received by him for the county, the person by whom and on what account they were paid; he shall cancel all warrants, when paid, by distinctly spearing or cutting them; he shall also report, daily, all moneys paid out by him, giving the number of the warrant and the party to whom paid, and shall deliver the warrants to the controller, who shall cancel the same, and all outstanding warrants issued before the controller enters upon the duties of his office, shall be presented to him as other claims against the county; but the treasurer shall also keep a separate account of the county poor tax received by him, and pay out the same upon warrants drawn by a majority of the directors of the poor of said county.

Duties of treasurer.

**SECTION 15.** The controller shall, if he deem it necessary, appoint a chief clerk, whose salary shall be eight hundred dollars. The chief clerk shall, during the necessary or temporary absence of the controller, perform all his duties, and also in case of a vacancy, until a successor is qualified; but in the latter case, neither the controller nor his sureties shall be liable, on his official bond or otherwise, for acts done or neglected more than one month after the vacancy occurred; and the court may, if the public interest demand it, on the application of any taxpayer of the county, declare the said office vacant, at any time when the duties of the controller shall, under the provisions of this section, have devolved on the chief clerk for a period exceeding three consecutive weeks, unless new securities be given, or the sureties on the official bond of the controller shall agree to be held liable on said bond, notwithstanding the preceding provision in this section releasing them from liability, which agreement shall be made a record of said court; and the jurisdiction conferred by the act of the twenty-first April, one thousand eight hundred and forty-six, entitled "An Act in relation to certain public officers and their sureties," may, in all cases, be exercised by the court of common pleas of Allegheny county, whenever the said court may deem the public interests to require it, either with or without the petition required by the first section of said act.

Controller may appoint a clerk.

Absence of controller or vacancy, relative to.

Jurisdiction of court.

**SECTION 16.** Every county commissioner hereafter elected in said county shall, before entering upon the duties of his office, give bond to the county, conditioned for the faithful performance of his duties, in the sum of ten thousand dollars, with two sure-

Commissioners to give bonds.

ties, to be approved by the court of common pleas and recorded in the office for recording deeds in said county; the record or copies thereof to be used in evidence, as provided in the third section of this act.

Salaries of commissioners, controller and clerks, how paid.

SECTION 17. That the salaries of the controller and his clerk, and the commissioners and their clerk, appointed under the twentieth section of the act of the fifteenth of April, one thousand eight hundred and thirty-four, shall be paid, quarterly, out of the county treasury, on warrants drawn and countersigned as provided for in the twelfth section of this act; but all other writing or work done in or for either of said offices, shall be done by contract, and the claims proved and audited as required by this act.

Auditing accounts.

SECTION 18. That all duties devolved on the county auditors by the act of April fifteenth, one thousand eight hundred and thirty-four, and all powers conferred on them by said act, shall be performed and exercised by the county controller, so far as regards county accounts and state taxes for which the county is or may be liable; and all other accounts with the treasurer with the commonwealth shall be audited by the auditor of the accounts of prothonotaries, clerks, et cetera, appointed by the court of common pleas under the act of 21st April, one thousand eight hundred and forty-six, and its supplements; and the report required by the seventh section of this act shall have the same effect as the report of the auditors under said act of fifteenth of April, one thousand eight hundred and thirty-four; and all the provisions of said act, in reference to appeals from the auditors' report, are extended to the report of the controller under this act.

Office of county auditor abolished.

SECTION 19. That all laws requiring the election of county auditors in said county of Allegheny, be and the same are hereby repealed; and the persons heretofore elected as county auditors in said county, shall cease to act as such on and after the first day of October, A. D. 1861. And it shall be the duty of the commissioners of said county to allow the said auditors, respectively, compensation at the rate of two hundred dollars per annum for the remainder of the terms for which they were elected, reckoning from the first day of October, A. D. 1861. The duties now performed by said auditors as a board of licensers, under the act of April 20, A. D. 1858, shall, after the first day of October, A. D. 1861, be discharged by the court of quarter sessions of said county.

Compensation for services rendered.

Court to discharge duties of board of licensers.

Duplicates of assessments.

SECTION 20. That the commissioners of said county, in the month of February in each year, shall make a fair duplicate of the assessments of taxes for state, county and military purposes, for each ward, borough and township; and the directors of the poor shall make a fair duplicate for poor taxes for each borough and township, according to the form prescribed by the controller, with a certificate that the taxes charged therein have been duly assessed according to law, and shall deliver the same to the controller, who shall, without delay, make the proper entries thereof in the books of his office, and deliver the same to the county treasurer, who shall be liable for the whole amount of taxes contained in such duplicate, from which liability he and his sureties shall only be discharged by accounting for the

Liability and duties of treasurer.

amount thereof, after deducting such exonerations as may be allowed; and the certificate of exonerations authorized by the forty-eighth section of the act of fifteenth April, Anno Domini one thousand eight hundred and thirty-four, shall be given to the treasurer and directed to the controller, and shall embrace the names of all persons exonerated, with the respective amounts, as entered on the books required by the said section. And it shall be the duty of the treasurer to obtain his exonerations, and settle the accounts with the controller, within four months after the time hereinafter fixed for issuing his warrants for collection.

SECTION 21. The treasurer of said county shall, immediately after the receipt of said duplicate, give at least thirty days' notice, by publication in two English and one German newspaper printed in said county, of the times and places at which he will attend in each ward, borough, township or election district in said county, for the purpose of receiving state, county, poor and military taxes; and he shall attend personally or by deputy at least one day in each of said wards, boroughs, townships and precincts, previous to the first day of July in each year, and receive and give receipts for said taxes, in the proper district, to any person paying the whole amount of said taxes assessed against him in the proper ward, borough and township, less the deduction hereinafter provided for, except that in the cities of Pittsburgh and Allegheny, the poor tax shall not be paid to nor demanded by the treasurer.

Notice of times and places for receiving taxes.

Poor tax.

SECTION 22. If any person shall, at the time and place appointed as above, or at the treasurer's office before such time, pay the full amount of his taxes as above, less the deduction, he shall be entitled to a deduction of five per centum thereon; and said taxes may be paid to the treasurer at his office, subject to the deduction of five per centum as aforesaid, at any time within three months after the time fixed as above for the payment thereof in the proper district.

Deduction.

SECTION 23. If any said taxes shall remain unpaid in any of said districts for a period of four months after the day fixed as aforesaid for the payment in the proper district, the treasurer shall issue his warrant, accompanied by a schedule of all unpaid taxes in each district, and the names of the persons respectively by whom the same are due, directed to any citizen of the county, authorizing and requiring him to demand and receive from the persons named in the schedule the same therein charged against them respectively, together with five per centum in addition thereto, which shall be in full compensation to such person for the collection thereof; but neither the treasurer nor the collector appointed by him, as above, shall, at any time after the issue of said warrants, be required to receive from any person less than the whole amount of taxes assessed against him or his property, in any one ward, borough or township, as increased or diminished by the deductions or additions hereinbefore provided for. The collector appointed by the treasurer shall be responsible to the treasurer for the faithful performance of the duties and for the amounts collected by them; and shall have all the powers conferred on collectors of taxes by the twenty-first section of the act of fifteenth April, one thousand eight hundred and thirty-four.

Duty of treasurer when taxes remain unpaid.

Addition of five per cent.

Collectors.



When and how  
taxes upon real  
estate to become  
a lien.

To be docketed  
by prothonotary.

Effect on mort-  
gages.

Writs to issue.

Proviso.

Proviso.

Repeal.

Compensation of  
treasurer and  
clerks.

Appointment of  
solicitor.

Vacancy in office  
of controller.

Proviso.

Sheriff to receive  
salaries as of jail-  
or and assistant  
jailor in lieu of  
certain fees.

SECTION 24. Whenever the certificate of exonerations, delivered to the controller under this act, shall embrace any taxes assessed on real estate, the controller shall, within thirty days thereafter, deliver to the prothonotary of the court of common pleas of said county, a certified statement of all such taxes for each ward, borough or township, setting forth the amount, the name of the party charged and a description of the property assessed in each case; and the prothonotary shall docket and file the same in a docket, to be prepared for that purpose, and enter the names of the parties so charged, with the respective amounts, in the proper places in the judgment index of said court, which shall remain a lien on said property until fully paid, and be first paid out of the proceeds of any judicial sale thereon shall operate to divest the lien of any mortgage protected by the act of sixth April, one thousand eight hundred and thirty, entitled "A supplement to an act for taking lands in execution for the payment of debts," and the several supplements thereto; and whenever the amount of any such lien shall be paid to the treasurer, it shall be the duty of the controller to enter satisfaction upon the record thereof on the payment of costs.

SECTION 25. That a *scire facias*, in the form of a *scire facias* on a mortgage, in the name of the county of Allegheny, may be issued against the parties so charged and prosecuted to judgment, after which a writ of *levari facias* may be issued for the collection of the same: *Provided*, That no such *levari facias* shall be issued until one year after the return day of the writ of *scire facias*: *And provided*, That no attorney's fee shall be taxed when the amount of the judgment shall be less than fifty dollars; and all laws relative to the sale of lands for taxes, so far as relates to Allegheny county, are hereby repealed.

SECTION 26. That the treasurer shall receive as full compensation for his services, and the services of such clerk or clerks as the duties of his office may require him to employ, the sum of four thousand dollars per annum.

SECTION 27. The controller and commissioners of said county are hereby authorized to appoint a solicitor for the county, who shall hold his office for and during the term of three years, whose salary shall be five hundred dollars per annum.

SECTION 28. That whenever a vacancy shall occur in the office of controller of said county, by reason of death, resignation, removal or otherwise, the judges of the court of common pleas and district court of said county, shall appoint a suitable person to fill such vacancy until a successor is duly elected and qualified: *Provided*, That if such vacancy occur within twenty days after the next general election, no election shall be held to supply the same until the second general election thereafter, at which time an election shall be held to supply such vacancy, unless an election for the full term shall occur at the same time, under the provisions of the first section of this act.

SECTION 29. That from and after the first day of May, A. D. one thousand eight hundred and sixty-one, it shall not be lawful of the sheriff of Allegheny county to receive out of the county treasury of said county, any fees on commitments or discharge of any prisoner committed for vagrancy, drunkenness, disorderly conduct, or any criminal matter, but in lieu of all such

fees he shall be entitled to receive, as the salary of the jailor, the sum of one thousand dollars per annum, to be paid quarterly, and the further sum of six hundred dollars per annum as the salary of an assistant jailor, to be paid in the same manner.

SECTION 30. That from and after the first day of May, A. D. eighteen hundred and sixty-one, it shall not be lawful for any mayor, alderman or justice of the peace, in the cities of Pittsburg and Allegheny, to charge or receive, out of the county treasury, any fees or costs for trying or committing any person charged with vagrancy, drunkenness or disorderly conduct; but it shall be the duty of the constable, or other officer, arresting any person so charged in either of said cities, to take him or her before the mayor of the proper city, whose duty it shall be to hear and determine all such cases, and in lieu of all fees heretofore authorized by law in such cases, the mayor of the city of Pittsburg shall receive, out of the county treasury, one thousand dollars per annum, and the mayor of the city of Allegheny two hundred and fifty dollars per annum, and no more, to be paid quarterly; and so much of any act of assembly as is inconsistent herewith, is hereby repealed.

Fees of mayor, aldermen and justices of the peace in certain cases.

Duty of constable.

Salary of mayor of Pittsburg.

Mayor of Allegheny city.

Repeal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 425.

## A SUPPLEMENT

To an act to incorporate the Philadelphia, Germantown and Norristown Railroad Company, passed the seventeenth day of February, Anno Domini one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Philadelphia, Germantown and Norristown railroad company may at any public meeting of the stockholders, called upon at least ten days notice, authorize and empower the board of managers to borrow a sum of money not exceeding four hundred and fifty thousand dollars, or to make an addition to its capital stock not exceeding said sum of four hundred and fifty thousand dollars; upon making such loan, the board of managers shall issue certificates of loan bearing interest not exceed-

ing six per cent. per annum, or should the stockholders authorize the increase of capital as aforesaid, the board of managers shall issue certificates of stock therefor, to be transferable on the books of the company as may be directed by the by-laws, and the said stock shall be the same as the stock of said company under existing laws; the said loan to be created, or capital stock increased, for the purpose of paying off loans about coming due; and the board of managers are authorized and empowered to execute a mortgage upon the road, property and franchises of the company, to secure the payment of the said loan and interest thereon.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 426.

## AN ACT

Supplementary to an act Revising the Charter of the Municipal Corporation of the city of Reading, passed the thirteenth day of March, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Duplicates of school taxes to be made out by controllers and collected by treasurer.

hereafter upon the duplicate or duplicates of school taxes having been made out by the board of controllers of the Reading school district, the same shall be placed in the possession of the treasurer of the said school district, who shall collect and receive said taxes, (at a place to be provided by said board of controllers,) and from any taxes that are paid to him on or before the first day of August, in the year for which they shall be assessed, the treasurer shall make a deduction of five per centum in favor of such person or persons so paying their taxes; and in case the taxes are not all paid on or before the first day of August, for which they are assessed, the board of controllers shall elect or appoint a collector or collectors, and place the said duplicate or duplicates in his or their possession; and said collector or collectors shall proceed to collect the taxes therein levied, in the manner now provided by law for the collection of taxes: *Provided*, That the board of controllers, or a committee appointed

Deduction.

Collectors to be elected or appointed for taxes remaining unpaid on the first of August.

Proviso.

by said board, shall have the right at all times to inspect the said duplicate or duplicates while in the possession of the said treasurer, collector or collectors, and have power to make such abatements or exonerations in the same as they may deem necessary; and the said treasurer, collector or collectors shall render an account of each item of their receipts unto the said board of controllers, or to a committee appointed by the said board, whenever required.

SECTION 2. The board of controllers of the Reading school district shall have power, by resolution, to borrow, for the use of said Reading school district, any sum or sums of money which they shall deem necessary, and to issue certificates of loan for the amounts so borrowed, to the persons respectively lending the same; and said certificates signed by the president of the board of controllers, and sealed with the seal of the Reading school district, and attested by the secretary of said board of controllers, shall be binding and obligatory on said Reading school district: *Provided*, The sums of money so borrowed in the whole, including the sums heretofore borrowed for the use of the Reading school district, and to pay the present liabilities and indebtedness of the several wards of said city for school purposes, shall not exceed the sum of forty thousand dollars, nor bear a greater rate of interest than six per centum per annum.

Board of controllers may borrow money.

Certificates of loan.

Limitation.

SECTION 3. That the provisions of the fifty-fourth section of the act to which this is a supplement, shall not prohibit the councils of the city of Reading to increase the salary of the present mayor of said city.

Councils may increase the salary of mayor.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 427.

## A SUPPLEMENT

To the act to authorize the Governor to incorporate the Wilkesbarre Water Company, approved twelfth February, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Privileges of water company relative to occupation of ground.** the occupation of ground for trenching and laying the water pipes, where consent for that purpose has not been obtained from the owner of the same, shall in no way impair the rights or privileges of the said water company, nor authorize the owner of such grounds to obstruct or remove the said water pipes; but that the said company, or such owner, may proceed to assess damages in the same mode and manner as is directed by law to be pursued, before the occupation of ground for that purpose; and that in all cases, if no proceedings are instituted for the recovery of damages for the occupation of grounds for conducting water, within two years from the date of this act, a license for such occupation shall be presumed, and owners of land shall not after that time have the right to institute proceedings for the recovery of damages: *Provided*, That this shall not apply to mines.

**Damages.**

**Proceedings for recovery must be instituted within two years.**

**Proviso**

**Advertisement in one newspaper sufficient.** SECTION 2. That an advertisement of all notices of the company for stockholders' meetings, elections, and for all purposes, in one newspaper in the borough of Wilkesbarre, shall be sufficient; and so much of the tenth section of the act to which this is a supplement, as requires the recording of the votes of the board on every proposition, rule or order, is hereby repealed; but on the demand of any member of the board, the yeas and nays shall be taken and recorded by the secretary.

**Repeal of part of certain section.**

**Yeas and nays to be recorded on demand.**

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 428.

## AN ACT

Authorizing an examination of the Claim of Jesse Herbert.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer and attorney general be and they are hereby authorized and required to examine the claim of Jesse Herbert, for wood furnished on the Allegheny Portage railroad, under a contract or contracts entered into with the then superintendent of said road; and if, in equity, any amount be found due said Jesse Herbert, then the state treasurer is hereby authorized to

pay the same out of any moneys in the treasury not otherwise appropriated.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 429.

## AN ACT

To extend the provisions of the act of Assembly relating to the Selling of the Repairing of Public Roads in certain townships, Schuylkill county, approved the 19th day of January, A. D. 1860, to Zerbe township, Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act of assembly, entitled "An Act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county," approved January 19th, 1860, are hereby extended to Zerbe township, Northumberland county: Provided, That the publication of the letting of the repairs, &c., in two newspapers, is hereby dispensed with in said township of Zerbe; and the supervisors now elected, shall hold their offices until the next election, according to the provisions of said extended act.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 430.

## AN ACT

Relative to Prison Discipline.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Wardens or superintendents to keep a record of violations of rules, &c.

from and after the passage of this act, it shall be the duty of the wardens or superintendents of the several penitentiaries and prisons of this commonwealth in which criminals are confined, who have been convicted and sentenced, by any court of justice of this state, to undergo an imprisonment of more than six months, to keep a book, in which shall be entered the name of each person so confined, and a record of every infraction or violation by him or her of the printed and published rules of such penitentiary or prison, with the punishment (if any) inflicted on account thereof, which said book shall be laid before the inspectors, at their regular stated meetings, for examination and approval.

To be laid before inspectors.

Rates of deduction from terms of sentence for good conduct.

**SECTION 2.** That every prisoner or convict, sentenced as aforesaid, who shall have no such infraction or violation of the said rules recorded against him or her during any month of the first year of his or her imprisonment, shall be entitled to a deduction from the term of his or her sentence of one day for the first month, of two additional days for the second month, and of three additional days for the third and each of the remaining months of the said first year of imprisonment; and shall also be entitled, for continued good conduct during the second year, to a similar deduction of four days for each month during which he or she shall not have violated the rules aforesaid, and to a deduction of one additional day per month for each succeeding year, until the expiration of the tenth year, and to an additional deduction of two days per month during each year of the remainder thereof: *Provided*, That it shall be lawful for the inspectors of said penitentiaries or prisons, if any such convicts or persons shall wilfully infringe or violate any of said rules or regulations, or offend in any other way, to strike off the whole or any part of the deduction which may have been obtained previous to the date of such offence.

Proviso.

Discharge of criminals.

**SECTION 3.** That the said inspectors shall have full power and authority to discharge the said criminals whenever they shall have served out the term of their sentence, less the number of days to which they are entitled under the provisions of this act.

Certificates to be given to prisoners whose sentences have been lessened for good conduct.

**SECTION 4.** That the said inspectors shall direct the warden or superintendent to give to each prisoner who may, in consequence of good conduct, be discharged at an earlier period than he would otherwise have been entitled to, a certificate thereof,

stating therein the number of days that have been deducted from his original sentence for good conduct.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 431.

## AN ACT

To incorporate the Society of the Alumni of the Law Department of the University of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the Society of the Alumni of the Law Department of the University of Pennsylvania, and such other persons, whether minors or adults, as may hereafter become members thereof, are hereby created a body politic and corporate, in deed and in law, by the name, style and title of the Society of the Alumni of the Law Department of the University of Pennsylvania. Incorporation.

SECTION 2. That the said corporation by that name shall have and enjoy perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law, or elsewhere, and shall be able and capable, in law and equity, to take, purchase, hold and receive, to them and their successors, for the use of said society, any lands, tenements, goods, chattels, sum or sums of money, by gift, grant, bargain and sale, will, devise or bequest from any person or persons whatsoever, and the same to grant, bargain, sell, mortgage, improve or dispose of for the use of the society, and in general to do all things which may be lawful or necessary for the well-being and proper management of the said corporation: *Provided,* That the real estate of which the said corporation shall at any time be possessed, shall not exceed the clear annual value of ten thousand dollars. Powers. Proviso.

SECTION 3. That the said corporation shall have power to make and use a common and corporate seal, and to alter, destroy and renew the same at pleasure; and make such by-laws, rules and regulations as shall be necessary for their government and the promotion of the interests of the said society: *Provided,* That no by-law, rule or regulation, as aforesaid, shall be valid Seal. By-laws. Proviso.



if inconsistent with the constitution and laws of this commonwealth or of the United States.

Officers.

SECTION 4. That the officers of said corporation shall be such as said corporation may think necessary, and they shall be elected at such times and places, and in such manner as the rules and by-laws of said corporation may direct.

Present officers  
to continue until  
election.

SECTION 5. That the present officers of the said corporation shall continue in their respective stations until an election shall be had under this act; and the rules and by-laws now in force shall be good and valid until altered, amended or abrogated by the said corporation.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 432.

## A SUPPLEMENT

To an act incorporating the Andalusia and Hulmeville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the Andalusia and Hulmeville turnpike road company are hereby authorized and empowered to borrow any sum of money not exceeding three thousand dollars, at any interest not to exceed seven per centum, and secure the same by a mortgage upon said company's road, or any other real estate belonging to said company: *Provided however,* That no bond shall be issued for any less sum than one hundred dollars.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 433.

## AN ACT

Supplementary to an act to consolidate, revise and amend the Penal Laws of this Commonwealth, passed the thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any person in the employ of any railroad company, whether such company is incorporated by this or any other state, shall fraudulently neglect to cancel or return to the proper officer, company or agent, any coupon or other railroad ticket, with the intent to permit the same to be used in fraud or injury of any such company; or if any person shall steal or embezzle any such coupon or other railroad ticket, or shall fraudulently stamp or print, or sign any such ticket, or shall fraudulently sell or put in circulation any such ticket; any person so offending, shall, upon conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement, at labor, not exceeding five years.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 434.

## AN ACT

Relative to the Destruction of certain Animals in the county of Juniata.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any person who shall catch and kill any full grown red or gray fox, wild cat, mink or skunk, within the county of Juniata, shall receive for each fox or wild cat one dollar, for each mink or

## LAWS OF PENNSYLVANIA,

skunk fifty cents ; and all proceedings under this act shall be in the manner provided by the act of sixteenth of March, Anno Domini one thousand eight hundred and nineteen, entitled "An Act to encourage more effectually the destruction of wolves and panthers ;" and that all laws inconsistent with the provisions of this act, be and the same are hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 435.

## A N A C T

Conferring upon Caroline, Elizabeth, Kate and Nicholas W. Hughes, minor children of John Hughes, all the rights and privileges of children born in lawful wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Caroline, Elizabeth, Kate and Nicholas W. Hughes, minor children of John Hughes, of East Birmingham, Allegheny county, shall have all the rights and privileges of children born in lawful wedlock ; and shall be capable, not only to inherit, but to transmit property, as fully as if they had been born in lawful wedlock.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 436.

AN ACT

To divide the borough of Williamsport into three wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Williamsport, in Lycoming county, be and the same is hereby divided into three wards, for election purposes, as follows: The present ward, known as the East ward, shall remain as it now is, with the middle of Market street as its western boundary. The West ward shall comprise all that part of the borough of Williamsport west of the middle of Hepburn street, and all that part of said borough situate between the middle of Hepburn street and the middle of Market street, shall be called the Centre ward.

Borough divided into three wards.  
Boundaries.

SECTION 2. That each ward in the borough of Williamsport is hereby declared a separate election district, and that each ward hereafter shall elect their several and respective borough officers, except burgess, who shall be elected by the joint vote of all the wards.

To be separate election districts.

SECTION 3. That hereafter the number of town councilmen in said borough, shall be nine, and a like number of school directors, and three auditors; three of which board of school directors and town council, and one of the auditors, shall be elected and reside in each ward.

Number of councilmen, school directors and auditors.

SECTION 4. That the general, special and borough elections for the East ward, shall be held as heretofore, at the building known as Doebler's hall, in said ward; for the Centre ward, at the public school house in said ward, and for the West ward, at the building known as Moore's hall, in said ward.

Places of holding elections.

SECTION 5. That the officers elected at the last West ward election for election officers, shall hold the elections for the Centre ward, for the period for which they were elected, or until their successors be legally chosen; and that Benjamin A. Taylor is hereby appointed judge, and James M. Neece and David Frainer, inspectors, to hold and conduct the elections for the West ward, until after the next annual election of officers for said ward.

Election of officers.

SECTION 6. That the next borough or ward election in said borough of Williamsport, shall be held on the third Wednesday of May, in the year eighteen hundred and sixty-two, and every year thereafter on the third Wednesday of May.

Time of holding borough elections.

SECTION 7. That the terms of the present borough and ward officers, whose terms of office would by law expire the third Friday of February next, are hereby extended and enlarged for the period intervening between said time and the third Wednesday of May, in eighteen hundred and sixty-two, and until their successors be legally elected.

Terms of present borough officers extended.

Repeal.

SECTION 8. That all acts of assembly, and parts of acts, inconsistent with or in anywise in conflict with this act, are hereby repealed and declared null and void.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 437.

## AN ACT

Relative to the Imposition of Taxes upon the Delaware Division Canal Company of Pennsylvania, the West Branch and Susquehanna Division Canal Company, the North Branch Canal Company and the Wyoming Canal Company.

Preamble.

WHEREAS, Doubts have arisen whether, under the existing laws of this commonwealth, the companies and associations which have purchased and now own the different lines of canals heretofore sold by the commonwealth of Pennsylvania to the Sunbury and Erie railroad company, are subject to a state tax upon their capital stock :

*And whereas*, It is right and proper that such doubts should be removed, and that the aforesaid companies and associations should pay to the commonwealth like taxes as are now imposed upon corporations of a similar character ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Delaware Division canal company of Pennsylvania, the West Branch and Susquehanna Division canal company, the North Branch canal company and the Wyoming canal company, are each and all of them declared to be hereafter subject to the payment, to the commonwealth, of the same taxes upon their capital stock respectively, as are now assessed upon the capital stock of companies incorporated by or under any laws of this commonwealth, in pursuance of the act, entitled "An Act to equalize taxation upon corporations," approved the twelfth day of April, one thousand eight hundred and fifty-nine.

Certain companies made subject to payment of taxes upon capital stock.

Annual reports to be made to the auditor general

SECTION 2. That the provisions of the act, entitled "An Act for the better securing to the commonwealth the payment of taxes due by incorporated companies," approved April twenty-

first, one thousand eight hundred and fifty-eight, so far as the same apply to the annual reports to be made by incorporated companies to the auditor general of this commonwealth, are hereby extended to the companies particularly enumerated in the first section of this act; and if either of the said companies shall neglect or refuse to make the annual reports as therein required, such company shall be subject to the same penalties as are by the said act imposed upon all companies incorporated under the laws of this commonwealth, for a like neglect or refusal to make the returns aforesaid.

Subject to penalties for neglect or refusal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 438.

## A N A C T

To authorize the Orphans' Court of Berks county to Appropriate certain Money arising from the Sale of Real Estate of Jacob Mast, deceased, in Partition, to the Payment of Debts of said deceased.

WHEREAS, Under and by virtue of proceedings in partition in the orphans' court of Berks county, a portion of the real estate of Jacob Mast, who lately died intestate, in Caernarvon township, in the county aforesaid, was, on the third day of November, Anno Domini one thousand eight hundred and sixty, sold at public sale, by Stephen Mast and Eliza Mast, administrators of said deceased, who were appointed by said court to make said sale, and purchased by Daniel Mast, for the sum of eight thousand eight hundred and eleven dollars and fifty cents, which sale has been confirmed by said court; and it has been ascertained that the whole, or the greater part of said purchase money, will be required for the payment of debts of said deceased:

And whereas, The said deceased has left a widow and children, who are all minors, and it is desired by the said widow and the guardians of said minor children that the whole of said purchase money should be applied to the payment of the debts of said deceased, so that said purchaser, upon payment of the purchase money aforesaid, may hold said lands and tenements

free and discharged from any claim of said widow or minor children upon the same; but doubts exist as to the power and authority of the orphans' court to carry out the desire of the parties in the premises; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the orphans' court of Berks county be and is hereby authorized and empowered to appropriate the money arising from the sale of the real estate of Jacob Mast, late of Caernarvon township, in the county aforesaid, deceased, under proceedings in partition, to the payment of the debts of said deceased, in the same manner and with like effect as if said real estate, lands and tenements had been sold for the payment of the debts of said deceased, and so that Daniel Mast, the purchaser thereof, shall hold the same forever discharged from any lien thereupon or claim on the part of the heirs of said deceased; and that Jacob Kurtz, guardian of Eliza Mast, Mary Mast and David Mast; Isaac Mast, guardian of Daniel Mast and Catharine Mast, and Levi Mast, guardian of Elhanan Mast, Jacob Mast and Amanda Mast, heirs and minor children of said Jacob Mast, deceased, upon said purchase money being paid to the administrators aforesaid, and the same appropriated by the said orphans' court to the payment of the debts of said deceased, and the surplus, if any, distributed as hereinafter provided, be and are hereby authorized to execute a release to said Daniel Mast, of all the claim, interest and demand which the said heirs of the said Jacob Mast, deceased, now have, or could or might, at any time hereafter, have upon, in, to or in any way arising out of said premises: *Provided*, That if any surplus should remain, after the payment of said debts, the same shall be distributed by said orphans' court to and among the widow and heirs of said deceased, as moneys arising from the sale of lands are distributed by the laws of this commonwealth.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 439.

## AN ACT

To divide the State into Congressional Districts for the Election of Representatives in the Congress of the United States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of electing representatives of the people of Pennsylvania to serve in the House of Representatives in the Congress of the United States, this state shall be divided into twenty-three districts, as follows :

1. Second, Third, Fourth, Fifth, Sixth and Eleventh wards, in the city of Philadelphia.

2. First, Seventh, Eighth, Ninth and Tenth wards, in the city of Philadelphia.

3. Twelfth, Thirteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth wards, in the city of Philadelphia.

4. Fourteenth, Fifteenth, Twentieth, Twenty-first and Twenty-fourth wards, in the city of Philadelphia.

5. Twenty-second and Twenty-third and Twenty-fifth wards, in the city of Philadelphia, Bucks county, and that part of Montgomery county embracing Moreland, Abington, Cheltenham, Horsham, Upper Dublin, White Marsh, Springfield, Montgomery, Gwynedd, Hatfield, Towamencin, Franconia and Lower Salford.

6. Delaware county, Chester county, and Upper and Lower Merion townships, and the borough of Bridgeport, in the county of Montgomery.

7. Berks county and the balance of Montgomery county.

8. Lancaster county.

9. Schuylkill and Lebanon counties.

10. Lehigh, Pike, Monroe, Carbon and Northampton counties.

11. Susquehanna, Wayne and Luzerne counties.

12. Bradford, Montour, Columbia, Sullivan and Wyoming counties, and balance of Northumberland county not included in the Thirteenth district.

13. Dauphin and York counties, and Lower Mahanoy township, in Northumberland county, not included in the Twelfth district.

14. Union, Snyder, Juniata, Perry and Cumberland counties.

15. Somerset, Bedford, Fulton, Franklin and Adams counties.

16. Cambria, Blair, Huntingdon and Mifflin counties.

17. Tioga, Potter, Lycoming, Clinton and Centre counties.

18. Jefferson, Erie, Warren, M'Kean, Elk, Cameron, Forest and Clearfield counties.

19. Crawford, Mercer, Venango and Clarion counties.

20. Indiana, Westmoreland and Fayette counties.

21. Allegheny county, south of the Ohio and Allegheny rivers, including Nevil island.



22. Allegheny county, north of the Ohio and Allegheny rivers, and Butler and Armstrong counties.

23. Lawrence, Beaver, Washington and Greene counties.

SECTION 2. That the election of representatives to serve in the House of Representatives of the Congress of the United States, agreeably to the constitution of the United States, and the direction of this act, shall be held by the citizens of the state qualified to vote for members of the state legislature, on the second Tuesday of October, one thousand eight hundred and sixty-two, for the thirty-eighth congress, and in every second year thereafter, until an enumeration of the inhabitants of the United States shall be taken agreeably to the constitution and laws of the United States, at the same places respectively, under the care and direction of the same officers, and subject to all the laws, penalties, rules and regulations in force for conducting and governing elections within this commonwealth.

SECTION 3. That the returns of the election held under this act shall be made at the times and in the manner prescribed for making returns of elections by the seventy-sixth, seventy-seventh, seventy-eighth, seventy-ninth, eightieth, eighty-first, eighty-second, eighty-third, eighty-fourth, eighty-fifth and eighty-sixth sections of the consolidated acts regulating elections within this commonwealth, passed the second day of July, Anno Domini one thousand eight hundred and thirty-nine, and the several supplements thereto.

SECTION 4. That the judges of the First, Second, Third and Fourth districts shall meet at the state house, in the city of Philadelphia.

The judges of the Fifth district shall meet at the court house in Doylestown, in the county of Bucks.

The judges of the Sixth district shall meet at the court house in West Chester, in the county of Chester.

The judges of the Seventh district shall meet at the court house in the city of Reading, in the county of Berks.

The judges of the Eighth district shall meet at the court house in the city of Lancaster, in the county of Lancaster.

The judges of the Ninth district shall meet at the court house in Pottsville, in the county of Schuylkill.

The judges of the Tenth district shall meet at the court house in Easton, in the county of Northampton.

The judges of the Eleventh district shall meet at the court house in Wilkesbarre, in the county of Luzerne.

The judges of the Twelfth district shall meet at the court house in Bloomsburg, in the county of Columbia.

The judges of the Thirteenth district shall meet at the court house in the city of Harrisburg, in the county of Dauphin.

The judges of the Fourteenth district shall meet at the court house in Mifflintown, in the county of Juniata.

The judges of the Fifteenth district shall meet at the court house in Chambersburg, in the county of Franklin.

The judges of the Sixteenth district shall meet at the court house in Hollidaysburg, in the county of Blair.

The judges of the Seventeenth district shall meet at the court house in Lock Haven, in the county of Clinton.

The judges of the Eighteenth district shall meet at the court house in Warren, in the county of Warren.

The judges of the Nineteenth district shall meet at the court house in Franklin, in the county of Venango.

The judges of the Twentieth district shall meet at the court house in Greensburg, in the county of Westmoreland.

The judges of the Twenty-first district shall meet at the court house in the city of Pittsburg.

The judges of the Twenty-second district shall meet at the court house in Butler, in the county of Butler.

The judges of the Twenty-third district shall meet at the court house in Beaver, in the county of Beaver.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 440.

## A N A C T

For the better regulation of Billiard Rooms, Bowling Saloons and Ten-pin Alleys in the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act for the better regulating of billiard rooms, bowling saloons and ten-pin alleys in the counties of Chester and Delaware, approved the thirteenth day of April, A. D. 1859, be and the same are hereby extended to the county of Bradford.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 441.

## AN ACT

To extend the provisions of the seventeenth section of an act, approved March eleventh, one thousand eight hundred and fifty-two, relative to Elections and Election Districts, to Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the seventeenth section of the act of March eleventh, one thousand eight hundred and fifty-two, entitled "An Act in relation to elections and election districts," be and the same is hereby extended to the county of Washington.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 442.

## AN ACT

To incorporate the Pawnners' Loan Association of Philadelphia.

<p><b>Corporators.</b></p> <p><b>Name.</b></p> <p><b>Powers.</b></p> <p><b>Seal.</b></p> <p><b>Proviso.</b></p>	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That William Duffy, Stephen N. Winslow, Samuel Ovenshine, Lemuel L. Crocker, Marshall Sprogle and William Watt, and the persons whom they may hereafter associate with themselves, be and they are hereby created and erected into a corporation or body politic, in law, by the name of the Philadelphia Pawnners' loan association, and by that name shall have perpetual succession, and shall sue and be sued in any court of law or equity, and shall hold, possess and enjoy lands, tenements and hereditaments, goods and chattels, rights and credits; and shall have and use a common seal, and change, alter and renew the same at pleasure, and generally shall have all the rights and powers incident to a corporation: Provided, That the clear yearly in-</i></p>
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come of the real estate of said corporation shall at no time exceed the sum of three thousand dollars per annum.

SECTION 2. That the capital stock of said corporation shall be one hundred thousand dollars, composed of two thousand shares of fifty dollars each, which shall be employed in the business of making loans on deposits of goods, wares, merchandise and chattel effects, to needy persons, in such sums as they may require, on such security as they may offer, for such length of time and at a rate of interest to be agreed upon by the parties, not to exceed one and a-half per cent. per month.

SECTION 3. That the said corporation shall have full power and authority to make all needful rules and by-laws for its government, and to alter and amend the same as they shall deem expedient, and to issue the capital stock of said company in shares and for such sums as herein provided for: *Provided*, That the rules and by-laws, thus enacted, shall not be at variance with the laws of this commonwealth or the constitution of the United States.

SECTION 4. That the government of said corporation shall be vested in a president, vice president, cashier and six directors, who shall have the management of its property and the direction of its affairs, and who shall be elected at such times, under such forms, and for such terms, as the constitution and by-laws of said corporation may direct and appoint.

SECTION 5. That it shall be the duty of said corporation, as soon as they can conveniently do it, to open and establish branches of said company in parts of the city of Philadelphia where they may be needed and required.

SECTION 6. That the said corporation are hereby expressly forbidden to transact any business with minors whom they know to be such, or suspicious persons.

SECTION 7. That it shall be the duty of said corporation to keep books, in which they shall enter a fair description of every article deposited with them, with the name and residence of the depositor, the time when and the sum for which the article is deposited; and the books thus kept shall be at all times open to the inspection of the mayor of the city of Philadelphia, or a police officer by him designated for this purpose.

SECTION 8. That the company aforesaid shall be authorized to advance the two-thirds part of the auction value offered for deposit, and shall be allowed a reasonable charge for storage on furniture, household goods and other articles of a bulky character.

SECTION 9. In no case shall the dividends of this association amount in the aggregate to more than twenty-four per cent. from loans, storage and forfeited goods, and all above this sum shall be appropriated for the benefit of the poor.

SECTION 10. And it is further provided that, in order that the needy and suffering may receive the full benefit of the provisions of this enactment, it shall be the duty of its management to advertise its leading features daily, in at least one of the public journals of the city of Philadelphia.

SECTION 11. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in

**Tax on dividends** four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts and contracts made by said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three.

**Individual liability.**

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 443.

A FURTHER SUPPLEMENT

To an act to perfect the Charter of the Samaritan Beneficial Society of the city and county of Philadelphia.

WHEREAS, By a supplement to the charter of the Samaritan beneficial society of the city and county of Philadelphia, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, authority was granted said society to have, hold, purchase, receive, possess, enjoy and retain lands, tenements, goods, chattels and effects, of whatsoever kind, nature or quality:

*And whereas*, Neither by the original charter or by the above recited supplement, is any power given to said society, to grant, bargain, sell or convey any such lands, rents, tenements, et cetera; now therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Samaritan beneficial society of the city and county of Philadelphia shall have authority to grant, bargain, sell, dispose of and convey lands, ground rents, tenements and effects, of whatsoever kind, nature or quality, now held, or which may hereafter be acquired by them.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domin one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 444.

## A N A C T

Relating to Roads in Bratton township, Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall be lawful for the supervisors of Bratton township, in the county of Mifflin, to let, by proposals and contract, the making and repairing of the public roads and highways in said township to the lowest and best bidders; and that the taxes assessed for road purposes shall hereafter be collected as other taxes, for the purposes aforesaid; and so much of any law as is hereby altered or supplied, be and the same is hereby repealed, so far as relates to said township of Bratton.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 445.

## A N A C T

For the Sale of certain Real Estate of the two Congregations of the United Protestant German Reformed congregations of Franconia, Montgomery county, and township of Bedminster and Rockhill, Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Troxell, Frederick Fluck, Charles Leidy and John Frederick, trustees of the two congregations of the United Protestant German Reformed congregations of Franconia, Montgomery county, and townships of Bedminster and Rockhill, Bucks county, are hereby authorized and empowered, at any time hereafter, to grant, bargain and sell, four acres and sixty-one perches of wood land, situate in Hilltown township, Bucks county, adjoining lands of Jacob Apparzeller, J. Hangey, and

other lands of said congregations, at public or private sale, in fee simple, and upon such terms and conditions as they shall see proper; and to convey and assure the premises and hereditaments so sold, with the appurtenances thereunto belonging, to the purchaser or purchasers thereof, in fee simple, free, clear and discharged of and from all and every the trusts, estates, limitations and conditions expressed or contained in the indentures or legal assurances relating thereto, at any time heretofore made, and so that the said purchaser shall take and hold the said premises so conveyed to him or them without any limitations or liabilities on his or their part, to see to the application of the purchase money; and such conveyance or conveyances shall vest a perfect and indefeasible title to the premises so sold and conveyed, in the purchaser or purchasers thereof.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 446.

## A N A C T

To protect Fruit, et cetera, and punish Trespass in certain counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* 'That an act, entitled "An Act to protect fruit, et cetera, and punish trespass in the counties of Huntingdon, Washington, Allegheny, Berks, Lancaster, Lycoming and Delaware," approved the thirtieth day of March, Anno Domini one thousand eight hundred and sixty, be and the same is hereby extended to the counties of Beaver, Blair, Lehigh, York, Bradford and Jefferson, Lebanon, Union, Schuylkill, Cambria, Mercer, Greene, Philadelphia and Carbon.

An act for the protection of fruit, &c., extended to certain counties.

Protection extended to grape-  
ries, statuary,  
&c.

Penalty for trespass.

SECTION 2. That the provisions of the first section of said act are hereby extended for the protection of graperies, statuary, vases, fountains and all other useful and ornamental erections in public and private gardens, yards, grounds, parks, streets and squares, the wilful trespass upon, or injury to which is hereby declared a misdemeanor, which may be prosecuted and punished as such, as directed for the prosecution and punishment of the offences

named in said act: *Provided*, That the second section of this *Proviso*, act shall not apply to the county of Beaver.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 447.

AN ACT

In relation to the Claim of Bell, Johnston, Jack & Co.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the auditor general, state treasurer and attorney general be and they are hereby appointed a commission to examine the claim of Bell, Johnston, Jack & Co., for money alleged to be paid by them on a certificate of indebtedness issued by the canal commissioners, under date of January 20th, 1859, to A. M. and R. White & Co., and on the award of said commission, the state treasurer is hereby authorized to pay the same out of any money in the treasury not otherwise appropriated: *Provided*, Said commission make said award unanimously: *And provided further*, That on examination by the attorney general, auditor general and state treasurer, they shall find said claim to be just and true, and that the state is legally liable for the same.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 448.

## AN ACT

For the relief of the Securities of F. Knox Morton, late Treasurer of the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the payment of the debt due the commonwealth, by F. Knox Morton, late treasurer of the county of Philadelphia, be and the same is hereby extended until the first day of May, Anno Domini, one thousand eight hundred and sixty-five; and that the interest now due, or which may hereafter accrue upon the same, be and the same is hereby released and discharged, so that upon the payment of the principal sum of said debt, satisfaction in full may be entered upon the bond of the said treasurer: *Provided,* That the lien of the commonwealth shall not be invalidated by the passage of this act.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 449.

## AN ACT

For the Relief of Lewis S. Coryell.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, state treasurer and attorney general, are hereby authorized and required to examine the claim of Lewis S. Coryell against the commonwealth, for rent of house and office on the Delaware division of Pennsylvania canal, at New Hope, Bucks county, prior to the sale of said canal to the Sun-

bury and Erie railroad company, and report the same to the next legislature.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 450.

## AN ACT

To incorporate the Schuylkill Navy Association of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles M. Wharton, John Duncan, Edward N. Hallowell, Corporators. Wilson M. Jenkins, D. Penrose Buckley, John B. Thayer, Charles Richards, J. Ledyard Hodge, B. Howard Rand, Henry Godley, Charles B. Keen and Samuel Dixon, and their associates and successors, holders of the stock hereinafter described, be and the same are hereby incorporated and organized as a corporation, to be called the Schuylkill navy association of the city of Philadelphia; and by that name and title they and their successors, holders and owners of the said stock, shall have perpetual succession, and shall be capable in law to purchase, hold, possess, use and dispose of estate and property, real and personal: *Provided,* Privileges. Said estate, whether real or personal, shall at no time exceed in value the sum of ten thousand dollars, and shall only be of such Limitation of value and kind of property. kind and character as is necessary and requisite for the purposes of said corporation, as hereinafter set forth.

SECTION 2. The said corporation shall have a common seal, Seal. and may alter and renew the same at its pleasure; and shall be capable to plead and be impleaded, to make by-laws, rules and By-laws. regulations for the government of the corporation, and to do all such things as are incident to a corporation, and necessary to the purposes hereinafter named: *Provided always,* That among its officers shall be a president and board of directors; and that Officers, their qualifications. said president and a majority of said board of directors shall be active members of some organized barge or boat club owning a boat on the Schuylkill river.

SECTION 3. The said corporation is hereby authorized and Empowered to empowered to purchase or obtain a suitable lot of ground on purchase ground and erect build- the Schuylkill river, within the corporate limits of the city of Philadelphia, and erect thereon a house or building, to be used

Purposes of.	as a boat-house by the organized barge clubs owning boats on said river, who may desire so to use the same, under the rules of the said corporation, and on such terms as may be agreed upon; and for the above purposes the said corporation shall
Stock.	have power to issue and dispose of stock to the extent of ten thousand dollars, divided into one thousand shares of ten dollars each, payable at such time and in such manner as the by-laws of the corporation may require, and which shall be held as personal property, transferable under such regulations as the corporation shall judge most convenient; certificates of such
Certificates.	stock may be issued, signed by the president, and attested by the secretary, with the seal of the corporation attached; and the said corporation may, at its option, issue in lieu of an equal amount of the stock, scrip certificates to the extent of not
Limitation.	more than four thousand dollars, executed and attested in the same manner as the stock bearing interest at the rate six per centum per annum; which shall be guaranteed on the faith of the corporation, and which may be issued in certificates of such amounts as may be most convenient, and transferable by delivery, but which shall not entitle the holders thereof to any
Votes.	vote in the affairs of the incorporation: <i>Provided</i> , That the total amount of stock and scrip combined, so issued and out-
Proviso.	standing at any one time, shall not exceed the sum of ten thousand dollars.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 451.

## AN ACT

To incorporate the Phoenix Hotel Company of Wilkesbarre.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George M. Hollenback, Hendrick B. Wright, Charles Dorrance, P. M. C. Gilchrist, John N. Conyngham, E. B. Harvey, Ira Tripp, William P. Miner, E. R. Mayer, Charles Parrish, L. D. Shoemaker, William S. Ross, Stephen Bolles, E. B. Chase, Stewart Pearce, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned,

shall be and they are hereby declared to be constituted a body politic or corporate, by the name and style of the Phoenix hotel company; to have perpetual succession; to be capable in law of suing and being sued; to have a common seal, and the same Seal. to alter and renew at pleasure; and to have, hold, receive and enjoy, and take, by absolute conveyance, in fee simple, such Powers. real estate as may be necessary and proper for the construction of a hotel on the site of the present Phoenix hotel, on River street, in the borough of Wilkesbarre, with such supplementary buildings as may be adapted to and form part of the general plan and design thereof, to erect and hold said buildings, and supply the same with all needful furniture for the accommodation and use of any parties who may be desirous of renting and occupying the same; and the said property, or any part thereof, when, in the opinion of the said corporation, it may be proper so to do, to sell and convey to any person or persons who may be desirous of purchasing the same: *Provided however*, That if *Proviso*. the said company or their lessee or lessees, with their knowledge, shall knowingly permit intoxication or gambling in their said house, the privileges hereby granted shall cease: *And provided also*, That said company shall not themselves engage in the business of hotel keeping. *Proviso*.

SECTION 2. That the capital stock of said corporation shall Capital stock. not exceed seventy-five thousand dollars, divided into shares of twenty-five dollars each; and that it shall be held as personal property, and as such be transferred, under such regulations as the corporation shall judge most convenient: *Provided*, That *Proviso*. such stock shall be exempt from taxation until it shall pay a dividend of six per centum per annum.

SECTION 3. That a general meeting of the corporators shall be annually held on the first Monday in June, for the election Annual election of five managers and the transaction of other business; but if of managers. such meeting or election shall not then take place, the corporation shall not, for that cause, be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice of all meetings of corporators being first Notice of meetings. given, in at least one newspaper published in the borough of Wilkesbarre.

SECTION 4. That the election of managers shall be by ballot, Elections, &c. from among the corporators; and that in the enactment of by-laws for the government of the corporation and its officers, and how conducted. in the decision of all questions, whether of the election of officers or disfranchisement of corporators, either because of their delinquency in paying for the amount of stock by them purchased of the corporation, or for other causes, and on all questions at the meetings of the corporation, the corporators present, either in person or by proxy, shall severally have one vote Votes. for each share of stock held by them.

SECTION 5. That the managers shall continue in office until President. their successors shall be elected, and shall elect a president from among themselves; shall supply vacancies in their number. Vacancies. ber, whether occasioned by death, resignation or otherwise, and shall have the general and entire control of the affairs and Duties of managers. interests of the company, except so far as may be otherwise provided.

Quorum.

vided by the corporators; at all such meetings three members shall be a quorum.

Present managers.

SECTION 6. That until other officers shall be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have the power and authority as such.

Reservation.

SECTION 7. That if the said corporation shall, at any time hereafter, misuse or abuse any of the chartered privileges hereby granted, the legislature may, at any time, revoke all and singular the rights, liberties, privileges and franchises hereby granted to the said company.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 452.

## AN ACT

Supplementary to an act, entitled "An Act to incorporate the Towanda Gas and Water Company," passed the thirteenth day of April, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the Towanda gas and water company shall be respectively liable, in their individual capacities, for all debts and contracts made by said company, to the amount remaining unpaid upon the shares of stock by them respectively held only; and so much of the second proviso to the ninth section of the act to which this is a supplement, as is inconsistent herewith, is hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 453.

## A FURTHER SUPPLEMENT

To an act in reference to running of Locomotive Engines and Cars on Connecting Railroads, approved thirteenth March, one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where any railroad company, incorporated under the provisions of the act of February nineteenth, one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," shall have leased their road to another company owning a connecting railroad in this state, as authorized by the supplement of March twenty ninth, one thousand eight hundred and fifty-nine, to the act to which this is a further supplement, and when the terms of such lease shall specify that the road is to be kept in repair by the lessees, the said lessees shall enjoy the same rights and privileges, in regard to the repairs and maintenance of said road, as are conferred upon the company owning the same, by the tenth and eleventh sections of the said act of February nineteenth, one thousand eight hundred and forty-nine; and the said lessees shall also be entitled to the benefit of the penalties provided in the fifteenth section of said act, and may sue for and recover the same for their own use and advantage.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 454.

## AN ACT

To incorporate the Fairview Cemetery Association of Kutztown, Berks county.

WHEREAS, Certain citizens of this commonwealth, some of Preamble. whom are hereafter named, have associated together for the pur-

pose of establishing a cemetery in the township of **Maratawny**, near the borough of **Kutztown**, in the county of **Berks**, as a place of burial for said borough and vicinity, and have negotiated with **J. Sassaman Herman** for the purchase of certain lands lying near said borough, which the said **J. Sassaman Herman** has appropriately enclosed, laid out and divided into burial lots, squares and avenues, and conveyed and transferred a number of said lots to parties hereinafter named, and others not so named :

*And whereas*, The said **J. Sassaman Herman** is ready to convey the residue of the lands, remaining unsold in said enclosure, to a company to be chartered for the purposes aforesaid, and for permanently establishing the same as a burial ground, and improving and embellishing the same ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That **William Wanner, Egedius Butz, Jacob Sontage, William Gross, Peter Krauss, Isaac Hottenstein, John Humbert, Jonas Hoch, Isaac De Turk, Elias Jackson, J. D. Wanner, D. B. Snyder, and Reuben Bast, Reuben Scharadin,** and their successors, and all other persons who have or may hereafter purchase burial lots in said cemetery, are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the **Fairview cemetery of Kutztown**, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and may have and use a common seal, and the same at their pleasure to alter or renew ; and shall have power to purchase, have, hold and enjoy, to them and their successors, and all others who have or shall purchase, have, hold and enjoy lots in said cemetery, all such lands as the said **J. Sassaman Herman** has enclosed and laid out for burial purposes, shall convey to said company, with such other real estate as they may require for the purpose of establishing said cemetery : *Provided*, That the whole quantity of real estate to be held by them as a corporation, shall not exceed twenty acres ; and the said corporation shall have authority to receive gifts and bequests for the purpose of ornamenting and improving said cemetery, and to hold such personal property as may be necessary to carry out the object of this act.

**SECTION 2.** That the affairs of the said corporation shall be conducted by a president and nine managers, who shall be elected by a majority of the votes of the members of the corporation, on the first Monday of May in each and every year ; and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held ; and at all elections for officers, each person holding a lot or lots in said cemetery shall be entitled to one vote only.

**SECTION 3.** That the president and managers shall fill all vacancies which may occur in their own body, and shall have power to lay out and ornament the grounds purchased for said cemetery, to erect such buildings thereon as may be necessary for the enjoyment of the same, to lay out, sell and dispose of burial lots, to appoint all necessary officers, and their several

**Corporators.**

**Style.**  
**Privileges.**

**Proviso.**

**President and managers.**

**Votes.**

**Vacancies.**

**Duties and powers of managers.**

duties, and to make such by-laws, rules and regulations as they <sup>By-laws.</sup> may deem proper for conducting the affairs of the corporation, for the government of members and visitors to the cemetery, and for the transfer of lots and evidence thereof.

SECTION 4. That no streets or roads shall hereafter be opened <sup>Opening streets or roads.</sup> through the lands of said corporation, except by and with the consent of two-thirds of the members of the corporation; and that any person who shall wilfully destroy, mutilate, deface, <sup>Injuries to</sup> injure or remove any tomb, monument, grave-stone or other struc- <sup>grounds, &c.</sup> ture placed in the cemetery aforesaid, or any fence, railing or other work for the protection or ornament of said cemetery, or of any tomb, monument, grave-stone or other structure placed therein, as aforesaid, or shall wilfully destroy, cut, break or remove any tree, shrub or plant within the limits of the said cemetery, or shall shoot or discharge any gun or other fire arms within the limits thereof, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before any justice of the peace of the county of Berks, be punished by a fine, at the <sup>Penalty.</sup> discretion of the justice, according to the aggravation of the offence, of not less than five nor more than fifty dollars, or shall, on conviction thereof in the court of quarter sessions of said county, be punished by fine, as aforesaid, and by imprisonment, according to the aggravation of the offence, at the discretion of the court.

SECTION 5. That every lot conveyed in said cemetery shall <sup>Transfers and ex-</sup> be held by the proprietor for the purpose of sepulture alone, <sup>emptions.</sup> transferable with consent of the president and majority of the managers, and shall not be subject to attachment or execution; and all the grounds held by the corporation and actually enclosed, laid out and used for burial purposes, shall be exempted from all taxation while so used for purposes of sepulture.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 455.

## A N A C T

For the Removal of the Toll-gate of the Lawrenceville and Sharpsburg Plank Road Company, from the borough of Lawrenceville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



## LAWS OF PENNSYLVANIA,

so much of the first section of an act, entitled "An Act to incorporate the Lawrenceville and Sharpsburg plank road company," approved the fourteenth day of April, one thousand eight hundred and fifty-one, as authorizes the said plank road company to erect a toll-gate within the corporate limits of the borough of Lawrenceville, be and the same is hereby repealed; and the said plank road company is hereby prohibited from erecting any toll-gate, or continuing the present toll-gate within the corporate limits of said borough.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 456.

## A SUPPLEMENT

To an act, entitled "An Act relative to Bridges in Lancaster county," approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever any new bridge is now or may hereafter be authorized according to law, to be erected in the said county of Lancaster at the expense of said county, the commissioners of said county, if they shall deem it necessary or expedient so to do before proceeding to the erection of such bridge, may notify and require, within thirty days, the supervisors of the township within which such bridge is or shall be authorized to be erected, or in case of the erection of a bridge over a stream which is or may become the boundary or division line between two townships, then the supervisors of such adjoining townships to give bond to the county of Lancaster for the payment of a sum of money not exceeding one-third of the cost of the erection of said bridge, within one year from the completion and acceptance of the same; the said supervisors, or any of them, shall thereupon give such bond, and shall have power and authority to pay the same out of any moneys raised for township road purposes, or if necessary, to levy a rate or assessment, and collect the same as now provided by law, for the purpose aforesaid: Provided, That in the case of adjoining townships, the portion of the cost as aforesaid*

shall be borne equally by said adjoining townships: *And provided further*, That the power conferred upon the commissioners of said county by the first section of the act to which this is a supplement, to require a subscription of individuals towards the erection of any bridge, as therein mentioned, is not hereby altered or changed; but the same may be required by the commissioners of said county, whenever, in their judgment, it will be right and proper so to do.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 457.

## AN ACT

To authorize the Guardian of the Minor Children of James A. Benade, deceased, to sell certain Bank Stock, and to authorize the Trustee of Real Estate belonging to said Minors, to mortgage the same.

WHEREAS, Esther High, late of the city of Reading, Berks Preamble. county, deceased, by her last will and testament, duly proved, did bequeath to her niece, Sarah N. Benade, the wife of James A. Benade, deceased, twelve shares of the capital stock of the Farmers' Bank of Reading, to her, the said Sarah, for life, and to the heirs of her body, after her death; and did also devise to her said niece, for life, and to the heirs of her body, after her decease, a certain two-story brick house and lot of ground, situate on the west side of North Fifth street, between Washington and Walnut streets, in the said city of Reading, bounded on the south by property of David Bright's estate, east by said Fifth street, west by an alley, and north by property of ——— Pfleger, containing in front on said Fifth street, forty feet, more or less, and in depth, east and west, two hundred and thirty feet:

*And whereas*, The said Sarah N. Benade has four children to support, and has no other means than those bequeathed and devised to her as aforesaid:

*And whereas*, She has incurred debts in her efforts to support and maintain said children, and the said two-story house has become untenable for want of repairs, and is not now tenanted, and is going to decay, whereby the purpose of the said will, to

support and maintain the said Sarah and her children, is defeated; therefore,

**Sale of bank stock authorized**  
**Bond.**  
**Proceeds, how applied.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Sarah N. Benade and John H. Nagle, the guardian of the four children of the said Sarah, be and they hereby are, upon giving bond with sufficient security, to be approved of by the orphans' court of Berks county, for the fulfilment of the powers hereby conferred, authorized and empowered to sell and transfer the said twelve shares of the capital stock of the Farmers' Bank of Reading, and apply the proceeds thereof to the payment of the debts incurred by the said Sarah, in the manner and for the purposes aforesaid, for which application they shall account to the said court.

**Trustees empowered to mortgage certain property.**

SECTION 2. That Matthias Mengel, trustee, appointed by the orphans' court of Berks county aforesaid, to sell the said house and lot of ground, be and is hereby, upon giving bond with sufficient surety, to be approved by said court, for the faithful execution of the power hereby conferred, authorized and empowered to raise by mortgage of said premises, such sum of money as the said orphans' court may deem and adjudge to be sufficient to put the said premises in repair; for which expenditure and application thereof, he shall account to the said orphans' court of Berks county.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 458.

## AN ACT

Authorizing the Executor of William Santee to Sell certain Real Estate.

WHEREAS, William Santee, late of Luzerne county, Pennsylvania, deceased, by his last will and testament, dated March fourteenth, one thousand eight hundred and fifty-six, did, among other things, direct his executor to pay certain legacies and make certain payments to his widow, et cetera:

*And whereas,* There is not sufficient personal property to make said payments, and no sufficient power existing in the courts to authorize the sale of said real estate for said purpose:

*And whereas*, It would be greatly to the advantage of all parties interested in said estate to have the same sold ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Thomas Patterson, executor of the last will and testament of William Santee, late of Luzerne county, Pennsylvania, deceased, or whoever may be legally appointed to succeed him as executor of said will, be and is hereby authorized and empowered, under and by direction of the orphans' court of said county, at any time after the passage of this act, upon twenty days notice, to sell all or any portion of the real estate mentioned in said last will and testament, at public sale, for the best price that can be obtained therefor, and to execute and deliver good and sufficient deeds of conveyance in fee simple to the purchasers : *Provided*, That no sale be so made until the said executor shall have filed his bond in the orphans' court in Luzerne county, in double the probable amount of the proceeds of such sale, with security approved by said court, and conditioned for the faithful application of said proceeds of sale.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 459.

## AN ACT

For the Relief of Mary Ann Lambert, Caroline Lambert, Robert Mellin, A. B. Johnston, John Dilworth and Charles Dilworth.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the auditor general, attorney general and state treasurer are hereby authorized and required to examine the claim of Mary Ann Lambert, Caroline Lambert, Robert Mellin, John Dilworth, Charles Dilworth and A. B. Johnston, for damages done to their real estate in New Hope, Bucks county, by the raising of the banks of the Delaware division of the Pennsylvania canal, in the year one thousand eight hundred and fifty-eight, and before the sale and transfer of said canal to the Sunbury and Erie railroad company ; and that the state treasurer is hereby authorized

## LAWS OF PENNSYLVANIA,

to pay the amount, if any found to be due, on the filing of their report.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 460.

## A N A C T

Relative to the Election of Officers of the Lancaster County Prison, and of the Poor and House of Employment.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the keeper, deputy keeper, physician, solicitor, and other officers of the Lancaster county prison, and the steward, solicitor, and other officers to be elected by the directors of the poor and house of employment of the county of Lancaster, shall hereafter be elected immediately after the organization of the new boards of prison inspectors and directors of the poor and house of employment aforesaid, on the fourth Monday of January in each and every year; the said officers to be elected for the term of one year, if they shall so long conduct themselves well, to commence on the first day of April next ensuing after their election: Provided, That if said elections are not concluded on the days heretofore designated, the same may be adjourned, from time to time, until completed.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 461.

## AN ACT

Relative to Plank Roads in Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if any plank road company in the county of Crawford shall refuse or neglect to keep their road in good repair for the space of ten days at any one time, and application shall be made by the petition of not less than ten residents of said county, usual travelers on said road, to the court of common pleas of said county, or any judge thereof, in vacation, setting forth that said road has been out of repair for the space of ten days past, and also, the points between which said road is out of repair, the said court or judge shall forthwith appoint three disinterested freeholders of said county, whose duty it shall be, after being first sworn, to proceed to view that portion of the road complained of, and to examine in relation thereto, not less than two nor more than four days notice of the time and place of meeting having first been given to some officer of said company or gate-keeper on said road; and the said viewers, or a majority of them, shall, after viewing and examining in relation to said road, make out a report under their hands or the hands of a majority of them, stating therein whether said road is out of repair as alleged in said petition, and at what places and for what distances the same is out of repair; then and in that case the said court or judge shall forthwith make an order to the president, secretary or gate-keepers of said road, commanding them to throw open the gate or gates and refrain from taking toll on that part of said road, embracing the part or parts so out of repair as aforesaid, until the same is put in good repair; and the costs of said proceedings shall be paid by said company, if said road is found out of repair, and by the petitioners, if found not out of repair.

Plank roads out of repair, relative to.

Costs, by whom paid.

SECTION 2. When said company shall have repaired said road, application shall be made by any officer thereof to the said court, if in session, or any judge thereof in vacation, setting forth that said road has been put in good repair on the part before condemned; and the said court or judge shall thereupon forthwith appoint three disinterested freeholders, who being first sworn, shall proceed to view the part of said road so before condemned, first giving to at least two of the petitioners for the first view not less than two days notice of the time and place of meeting, and after carefully examining the said road, shall make out, under their hands, or the hands of a majority of them, a report to the said court or judge; and if said report is that said road is in good repair, the said court or judge shall forthwith notify the same to the president or some officer of said road; and from the date of said certificate the said company may take tolls on

Court to appoint persons to view road when repaired.

Report.

When tolls may be taken.

said road. The costs of said last proceeding to be paid by said company.

Compensation of  
viewers.

SECTION 3. The viewers appointed under this act shall each be entitled to one dollar per day for each day necessarily spent in said business, and six cents per mile for every mile necessarily traveled thereon.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 462.

## A SUPPLEMENT

To an act, entitled "An Act authorizing President Judges to hold Courts out of their several Districts in certain cases," approved the second day of April, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the causes which by the act to which this is a supplement authorize the president judge, in any judicial district, to call upon any other president judge in the commonwealth to hold the regular term of the courts of the former, shall be construed as extending to and authorizing the calling upon such other judge for the trial, at the regular term, of all such causes as by law the president judge of the proper district is prohibited from trying; and the said president judge so called upon is hereby authorized and empowered to discharge all the duties appertaining to the trial of said causes, as fully, to all intents and purposes, as the regularly commissioned president judge of said district could do, if present, and shall be entitled to the same compensation allowed by law for holding special courts.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 463.

## A FURTHER SUPPLEMENT

To an act relating to Inspections, passed the fifteenth day of April, one thousand eight hundred and thirty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the one hundred and twenty-seventh section of the act relating to inspections, passed the fifteenth day of April, one thousand eight hundred and thirty-five, as requires the inspectors of domestic distilled spirits, in the city of Philadelphia, to procure and keep a hydrometer of the kind commonly called "Dycas Liverpool patent hydrometer," be and the same is, hereby repealed; and that it shall hereafter be the duty of the said inspectors, to keep and use for the purposes of their office, the New York hydrometer, manufactured by W. T. and T. V. Gendar, New York.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anne Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 464.

## A N A C T

To incorporate the Factoryville and Abington Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* S. A. Northrup, B. F. Bailey, G. W. Palmer, Davis H. Simmons, of Luzerne county, and John Wilson and M. V. Mace, of Wyoming county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Factoryville and Abington turnpike and plank road company, with power to construct a turnpike or plank road from, at or near the village of Factoryville, to the Route. Commissioners.



**Subject to.** ville, in Wyoming county, to any point near the house of Henry Leach, in Abington, Luzerne county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as hereinafter provided.

**Stock.** SECTION 2. That the stock of said company shall consist of five hundred shares at twenty-five dollars per share: *Provided,* That said company may from time to time, by a vote of the stockholders called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road and carry out the true intent and meaning of this act.

**May be increased** stockholders called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road and carry out the true intent and meaning of this act.

**When road to be commenced and when completed.** SECTION 3. That if said company shall not commence the construction of said road within three years from the passage of this act, and complete five miles of the same within seven years, and the remaining part within seven years from the date thereof, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the company.

**When tolls may be collected.** SECTION 4. That whenever said company shall have finished one mile or more of said road, they shall have power to erect gates and collect tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, except so far as relates to tolls which discriminate in favor of wheels of a greater width than four inches; and the company hereby incorporated shall have power to regulate their tolls, within the limits prescribed by said act and the several supplements thereto, without reference to width of wheels.

**Regulation of.**

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 465.

### A FURTHER SUPPLEMENT

To the act incorporating the Allentown Water Company, and its several supplements.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the owner or owners of any real estate, situated within the borough of Allentown, at or upon which the water of the said company shall be used for any purpose whatsoever, shall hereafter be personally liable to the said company, for the annual rents for the use thereof; and in case the said owner or owners shall fail or refuse to pay the same in a reasonable time after the same shall have been demanded, it shall be lawful for the said company to recover the said water rent, by a personal action against the said owner or owners, in the same manner as debts of like amount are now by law recoverable; and in addition thereto to file their claims in the prothonotary's office of Lehigh county; from the time of which filing they shall be and remain a lien upon the real estate against which the said claims may be filed, in the same manner as the claims of mechanics and materialmen may now by law become liens; and it shall furthermore be lawful for the said company to enforce the collection of the said liens, in the same manner as the liens of mechanics and materialmen are now by law enforced.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 466.

## A SUPPLEMENT

To an act to Consolidate and Amend the Road Laws of Tioga, Potter, M'Kean and Elk counties, passed April fourteenth, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the additional, or increased tax, authorized by the fourth section of the act of the fourteenth of April, A. D. eighteen hundred and fifty-five, entitled "An Act to consolidate and amend the road laws of the counties of Tioga, Potter, M'Kean and Elk," shall, when collected, be applied, first to the payment of judgments against the townships, in the order of their priority as to date, and next to the payment of orders drawn by the supervisors, in the order of their presentment to the township treasurer; and the provision in the seventh section of said act giving preference to the claims of persons upon whose applica-

## LAWS OF PENNSYLVANIA,

tion the additional, or increased tax, now ordered, is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 467.

## A N A C T

To authorize Charles Bower and James N. Vanzand to Sell certain Real Estate.

WHEREAS, The late Keystone division, number 480, Sons of Temperance of the borough of Newton Hamilton, previous to disbanding, appointed a committee, consisting of Charles Bower and James N. Vanzand and J. W. Hart, deceased, to make sale and distribute the proceeds among the members, of their real estate, consisting of two town lots, situate in said borough of Newton Hamilton, in the county of Mifflin; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sale and conveyance of said lots by the above named committee, or a majority of them, shall be deemed valid, and that their acts and deeds may be recorded as such.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 468.

## A N A C T

To annex a part of the township of Norwegian, in the county of Schuylkill, to the borough of Pottsville, and to establish a new ward in said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

so much of the township of Norwegian, in the county of Schuylkill, as lies within the following described boundaries, be and is hereby annexed to the borough of Pottsville, viz: Beginning at a point in the present western line of the said borough, on or near the top of the Sharp mountain, where a continuation of the south line of Henry Morris's land would cross said borough line; thence along said mountain south sixty-nine degrees and twenty-five minutes west about two hundred and sixteen perches; thence north nineteen degrees and fifty-four minutes west passing along the western line of a farm late of Thomas Sillyman, deceased, along Franklin street, in the town of Yorkville, and through land of Edward O'Conner and others, four hundred and sixty-four perches to a post; thence north seventy degrees and three-quarters east two hundred and twenty-two perches to the north-west corner of the present borough; thence along the western line of it to the place of beginning.

Part of township  
to be annexed to  
Pottsville.

Boundaries.

SECTION 2. That the above described territory, and so much of the present borough of Pottsville as lies westwardly of the following described lines, viz: Beginning on the aforesaid continuation of the south line of Henry Morris's land; thence north eighteen degrees and thirty-five minutes west so as to pass along the western side of the German Catholic cemetery to Schuylkill avenue; thence westwardly along said avenue to Dumont, or Ninth street; thence northwardly along said Dumont street to Lyon street, and the same course through land of Samuel Heffner to High street; thence westwardly along it to West street; thence northwardly along it to the Minersville road and westwardly along it to the line between the lands of Moses Parrot and George Patterson; thence northwardly along said line along another portion of West street, along the lines between lots numbers forty-five and forty-six, numbers one hundred and ten and one hundred and eleven, and numbers one hundred and twenty-seven and one hundred and twenty-eight, in the Norwegian addition of Pottsville, to the west branch of the Mount Carbon railroad; thence continuing the course of the last named line to the north line of the borough, be and the same are hereby established and erected into a new ward, to be called West ward, which shall have and possess all the powers and privileges, rights and immunities that the other wards in the said borough of Pottsville now possess or are entitled to.

New ward formed

Boundaries.

SECTION 3. That the said ward shall be attached to and become a part of the Pottsville school district, and shall consti-

To be attached  
to Pottsville  
school district.

Time and place  
of holding first  
election.

Election officers.

Vote to be taken  
upon place of  
holding elections

Voters

tute a separate election district, with the same right of electing borough and other officers now possessed by the other wards of the said borough, and at the same times. The first election shall be held on the first Monday in May next, at the house of M. B. Bell, at the south-west corner of Market and Spring streets, in said ward, which shall be held and conducted by Stephen Rogers, as judge, and M. B. Bell and Peter Fashold as inspectors, who are to appoint two clerks, all of whom shall be sworn or affirmed according to law; at which said election a vote shall be taken of the qualified electors of said ward, to decide, by ballot, upon the place where the elections in the said ward shall thereafter be held, which said election shall be conducted, and the returns of it made, in the same manner as they now are in the other wards of the said borough; and that at the said first election, all persons residing in said ward and qualified to vote for members of the legislature, shall be permitted to vote.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 469.

## A N A C T

To authorize the Erie Canal Company to perfect a certain Contract.

Certain contract  
to be perfected.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Erie canal company is hereby authorized and empowered to perfect a certain written contract entered into on the part of of the commonwealth, by the superintendent or supervisor of the Beaver division of the Pennsylvania canal, and Joseph Hemphill, of the borough of Beaver, in the county of Beaver, now deceased, for the sale, by the latter, to said commonwealth, of a certain lot of ground, for the purpose of erecting thereon a lock-house or collector's office, on said division; which lot is situate in the borough of Rochester, in said county, and bounded on the north by a lot occupied by T. M. Taylor, east by the Pittsburg road, south by a lot of Henry Woods, and west by a public lane, being fifty feet or thereabouts, in width, and about two hundred feet in length, by paying to the legal representa-

Terms

tives of said deceased, such sum of money as may be found due on said contract, with interest from one thousand eight hundred and forty-six, upon their making a good and sufficient deed of conveyance for said lot of ground, to the said Erie canal company; which sum of money so paid by the said company, shall be refunded to the said company, together with six per cent. interest thereon from the time of payment, by the commonwealth, upon the commonwealth resuming possession of the said Beaver division of the Erie extension of the Pennsylvania canal.

SECTION 2. That if the said Erie canal company shall, on tender of said deed of conveyance for said lot, by the legal representatives of said deceased, as aforesaid, neglect or refuse to pay within sixty days, to said representatives, the amount of money which may be found to be due and unpaid on said contract, then it shall be lawful for the heirs and legal representatives of said deceased, or any of them, for his, her, or their respective interests therein, to institute and maintain an action of ejectment against said company, or any person or persons in possession of said lot of ground, to recover the same, in like manner and with like effect as in actions of ejectment under the general law of the state.

Heirs, &c., may institute action of ejectment in case of non-payment by company.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 470.

## A N A C T

To repeal the second section of an act, entitled "An Act increasing the width of Diamond alley and extending Union street, in the city of Pittsburgh," approved the sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* 'That the second section of an act, entitled "An Act increasing the width of Diamond alley and extending Union street, in the city of Pittsburgh," approved the sixteenth day of May, Anno Domini one thousand eight hundred and fifty-seven, so far as the same provides "that all that part of section number four hundred, in the plan of Pittsburgh, which lies westwardly of the

## LAWS OF PENNSYLVANIA,

eastern line of Union street extended in a straight line to Liberty street, the same course that said street now has across lots numbered three hundred and ninety-five and three hundred and ninety-six, shall be and the same is hereby declared public, the same as other streets in said city," be and the same is hereby repealed; and also, that all further provisions in said act in relation to the said extension of Union street, be and they are hereby repealed: *Provided*, That the costs and fees for services actually rendered in accordance with the provisions of the said act, so far as the same relates to the extension of Union street, shall be paid by the city of Pittsburg, in like manner as other fees are paid for services rendered said city: *Provided further*, That any money which may have been paid in upon assessments made for the purpose of extending Union street, under the provisions of said act, shall be returned to the parties, or their legal representatives, paying the same.

J. H. SELTZER,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 471.

## A N A C T

Relative to the Pay of Jurors in Centre and Clinton counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the pay of grand and traverse jurors, in the counties of Centre and Clinton, shall be one dollar and fifty cents per diem, in addition to the mileage now allowed by law.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 472.

## SUPPLEMENT

To an act relating to the Selling of the Repairing of the Public Roads in certain townships in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of an act relating to the selling of the repairing of public roads in certain townships in Schuylkill county, approved the nineteenth day of January, Anno Domini one thousand eight hundred and sixty, be and the same is hereby so amended as to increase the compensation of the supervisor of Mahonoy township, in said county, to one hundred and fifty dollars per year, instead of seventy-five dollars, the amount now allowed by said recited act.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 473.

## SUPPLEMENT

To an act to establish a system of Free Banking in Pennsylvania, and to secure the public against loss from Insolvent Banks, approved March 31, 1860.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any person or association of persons not less than five, in pursuance of this act may establish banks of discount, deposit and circulation, under such name and style as they may adopt, subject to the terms, conditions, contingencies, restrictions and liabilities hereinafter prescribed, but the capital of no bank established under the provisions of this act shall exceed one million of dollars, or be less than fifty thousand dollars. Banks may be established.



Certificate of intention to establish a bank to be published.

SECTION 2. That whenever any such person or association of citizens desire to establish a bank, or increase its capital, they shall make a certificate, to be hereinafter described, under their hands and seals, and shall cause a notice of the same to be advertised for at least six months in at least three newspapers, one published at the seat of government of the state, and the other two in the city or county where such bank is to be located, one of which shall be in the German language, if such paper is published; which certificate, after due notice of the same shall be published as aforesaid, shall be submitted to and examined by the attorney general of the commonwealth, and by him certified to be properly drawn and signed, and that the notice of the same has been duly and correctly advertised according to law, and that the certificate and the published notice are in conformity with the constitution and the laws of this commonwealth, for which service the attorney general shall be entitled to a fee of five dollars.

To be examined and certified by attorney general

Nature of certificate.

SECTION 3. That the certificate approved by the attorney general shall specify,

I.—The name assumed by such person or association to be used in its dealings, and the names and residences of each member of any partnership or association.

II.—The place of business, designating the city, town or village and the county where the contemplated bank is to be located, and which location shall not be changed without the consent of the auditor general after six months' public notice.

III.—The amount of capital stock of such association, the number of shares into which the same shall be divided, together with any contemplated increase of capital stock.

IV.—The names and places of residence of the shareholders, and the number of shares held by each of them respectively.

To be recorded.

V.—That when the certificate is so certified by the attorney general as aforesaid, the same shall be recorded in the office for recording of deeds in the city or county where the bank is to be located, and a copy of said certificate, duly certified by the recorder, shall be filed in the office of the auditor general, and the auditor general upon the receipt of such certified copy shall enter thereon and upon the original certificate, to be retained by such persons or banking association, the day and date of the filing of the same, and shall moreover cause a true copy of such certificate to be recorded at length in a suitable book to be kept in his office for that purpose, for which he shall receive the sum of five dollars, and the governor shall, upon the certified copy of the aforesaid certificate being produced before him, cause letters patent under the great seal of the commonwealth to be issued to the said banker or corporation.

Certified by recorder and filed in auditor general's office.

Letters patent.

Incorporation.

Limitation.

Powers and privileges.

SECTION 4. That every person or association authorized to carry on the business of banking under this act, shall be held and adjudged to be a body corporate with the right of succession, for the term of twenty years from the date of letters patent, and thereafter only so long as is necessary to close the affairs of such bank, and by its corporate name shall be competent to contract, prosecute and defend actions of every description as fully as natural persons, and process against such bank may be served upon its president or cashier, or by leaving a copy

thereof at their usual place of business during the usual hours of business; they shall have power to make by-laws and adopt a corporate seal, and to change and renew the same at pleasure, and shall during the term of twenty years from the date aforesaid, if the said bank shall so long comply with the provisions of this act, have power to loan money, buy, sell and discount bills of exchange, treasury and other notes and all other written evidences of debt and specialties, except such as it shall be prohibited by this act from buying, selling or discounting, receive deposits and the notes of the banks of other states at their current value, buy and sell gold and silver coin and bullion, collect and pay over money, and transact every such other business as shall appertain to the business of banking, subject however to the provisions of this act; it may acquire and hold and convey such real estate as may be necessary to the proper transaction of business and no more, but may however acquire title to any real estate pledged to secure any debt previously contracted or purchased on an execution or order of sale to satisfy any judgment or decree in its favor, or which shall have been conveyed to it in payment of any previous debt, but shall hold any real estate so held no longer than is necessary to secure the payment of said debt, interest and costs for the collection and securing of the debt for which it was acquired: *Provided however*, That if at any time before selling the same, the last preceding owner, his, her or their heirs, shall tender to said bank a sum sufficient to secure the payment of such debt with interest, costs, taxes and other necessary charges for the collection or securing of said debt for which said real estate was acquired, then the bank shall release to such owner, his, her or right, title their heirs all and interest therein: *Provided further*, That said last preceding owner or owners, their heirs or attorneys, shall have the right of redemption of said real estate for the term of twelve months after sale upon paying debt, interest and costs. Proviso.

SECTION 5. That it shall be the duty of the auditor general, to report annually to the legislature within three days from the commencement of the session, a summary of the state and condition of every incorporated bank or banking institution, and every private bank, from which reports have been received for the preceding year, at the several dates to which such reports refer, with an abstract of the whole amount of banking capital returned by them, of the whole amount of their debts and liabilities, specifying particularly the amount of circulating notes outstanding, and the total amount of means and resources, specifying the amount of specie held by them at the time of the several returns, and such other information in relation to said banks and associations as in his judgment may be useful; the said report shall also contain a statement of the amount of the expenses of his office on account of banks during the year, and the amount, if any, for which the treasury shall be in advance, and three thousand copies of said report shall be prepared for the use of the legislature, and two hundred and fifty copies for the office of the auditor general, and shall be printed by the public printer in readiness for distribution within twenty days from the commencement of the legislative session. Auditor general to make annual report to the legislature of the condition of banks.

Increase of capital.

SECTION 6. That any increase of capital, alteration or addition, shall be advertised as is provided for by the second section of this act for six months, and then submitted to the stockholders at a general meeting called for that purpose and by them approved, and further any such increase of capital, alteration or addition, shall also be approved by the auditor general, and if approved by the same shall be attested and recorded and published as is provided in the original formation of said bank.

Auditor general to have notes engraved and printed.

SECTION 7. That the auditor general of this commonwealth shall cause to be engraved and printed in the best manner to guard against counterfeiting, such quantity of circulating notes in blank of different denominations not less than five dollars, each of which are authorized to be issued by the banks of this commonwealth incorporated under this act, as he may deem necessary from time to time to carry into effect the provisions of this act: *Provided*, Said notes shall be countersigned by the auditor general or by a clerk appointed by him for such purpose, numbered and registered in his office in manner as directed by him in a book kept for the purpose, and all notes issued by him shall be uniform, and they shall have stamped on them "Secured by the deposit of public stock:" *Provided*, That this section shall be so construed as to require only that the die used by the auditor general shall be impressed upon all such notes; the other devices, vignettes and designs upon said notes may vary as the several banks incorporated under said acts may prefer, subject however in all cases to the approval and direction of the auditor general as to the engravings on said notes, the colors used in printing the same, and all other matters connected therewith.

To be countersigned by him, numbered, registered and stamped.

Proviso.

Plates, dies, &c., to remain in his custody.

SECTION 8. That the plates, dies and materials to be procured by the auditor general for the printing and making of such bills or notes for circulation shall remain in his custody and under his direction, and the expenses necessarily incurred in executing the provisions of this act shall be audited by the auditor general, and paid out of the treasury on his written order; and for the purpose of reimbursing the same, the auditor general is hereby authorized and required to charge against, and receive from each bank or banking association, applying for such notes for circulation, such rate per centum thereon as will repay the expenses necessarily incurred as before directed.

Expenses, how paid.

Seal to be devised.

SECTION 9. That the auditor general, with the approval of the governor, shall devise a seal with a suitable inscription for this branch of his duties, independent of the seal of office now used by said officer as auditor general, a description of which, with a certificate of approval by the governor, shall be filed in the office of the secretary of the commonwealth, with an impression thereof, which shall thereupon become the seal of office as set forth in this act, and the same may be renewed when necessary; every certificate, assignment and conveyance executed by the said auditor general in pursuance of any authority conferred on him by this act, and sealed with the aforesaid seal, shall be received in evidence, and may be recorded in the proper recording offices in the same manner and with like effect as a deed regularly acknowledged or proved before any officer authorized to take proof or acknowledgments of deeds, and all copies of papers in the office of said auditor general that have

Description to be filed in secretary's office.

Use and effect of seal.

any relation to any of the banks or banking associations of this State, certified by him and authenticated by the said seal, shall in all cases be in evidence equally and in like manner as the original.

SECTION 10. That banks established under this act, upon legally assigning to, and depositing with the auditor general the bonds or evidences of debt of this commonwealth or of the United States, shall be entitled to receive an amount of such circulating notes in blank, of the denominations such as they may require, numbered, registered, countersigned and stamped as is herein provided for, the bonds and stocks to be taken at their market value: *Provided*, That the amount to be invested under the provisions of this act shall not exceed the amount of capital now employed in corporate banking in this State more than fifteen millions of dollars, until otherwise provided.

When banks entitled to receive circulating notes

Proviso.

SECTION 11. That the auditor general may at his discretion exchange such bonds or evidences of debt, or of any of them, on receiving other approved bonds or evidences of debt of this commonwealth or of the United States of equal amount, and when any sum of the principal of the bonds or evidences of debt which have been transferred to the auditor general shall be paid to him, he shall notify the bank or banking association which transferred the same of such payment, and shall pay the same to such bank or banking association on receiving other approved bonds or evidences of debt of this commonwealth or of the United States of an equal amount, or on returning an equal amount of the bills or notes delivered by him to such association for circulation, which bills when delivered shall be cancelled, and all bonds or evidences of debt received by the auditor general under the provisions of this section shall be subject to all the regulations and restrictions prescribed by the different sections of this act.

Auditor general authorized to exchange evidences of debt.

SECTION 12. That the bank or banking association transferring bonds or evidences of debt to the auditor general may receive the interest that accrues thereon, unless default shall be made in paying the bills or notes to be countersigned as aforesaid, or unless the bonds or evidences of debt so pledged shall become insufficient security for the payment of such bills or notes, and the auditor general, together with the state treasurer and secretary of the commonwealth, shall on the first Mondays of March and September in each year make an average of the value of the state and United States stocks pledged for the redemption of notes issued to the several banks and banking institutions incorporated under the provisions of this act, which average shall be made on the value of the stocks aforesaid during the last preceding six months, which average value shall be the declared value for the six months succeeding, and if the declared value of the stocks aforesaid shall exceed the value of the same at the previous average, then and in that case the auditor general is authorized to issue to each bank or banking institution incorporated under the provisions of this act an additional amount of notes or bills, but if the stocks deposited as aforesaid shall become depreciated in value so that the averages of the six months shall be below the value of the securities at the last declared value, then the auditor general shall thereupon immediately

Banks to receive interest on securities deposited with auditor general.

Valuation of stocks pledged.

notify the president or cashier of any bank or banking institution to place in his hands, within fifteen days, such additional amount of securities of the description named in this act, or to return to his office such an amount of the circulation of the bank, as will preserve the value of the securities deposited and secure in full the notes or bills issued as aforesaid, and if such bank or banking institution shall refuse or neglect to comply with the requirements made by the auditor general, then and in that case he shall without delay proceed to wind up the affairs of such bank or banking institution in the manner prescribed by the several provisions of this act.

Directors and officers.

SECTION 13. That the affairs of every bank shall be managed by not more than eleven directors, and they shall choose one of their number as president, and another as vice president, if necessary; they shall appoint a cashier and such other officers and agents as their business may require, and have power to remove them at pleasure and appoint others in their place, and take such bond from each appointee, and give such compensation to the president, officers and assistants of the bank as the

Qualifications of.

by-laws may prescribe; of the bank every director shall be a citizen of this commonwealth; the cashier may be director; each director shall own in his own name and right at least one per centum of the capital stock of the bank up to two hundred thousand dollars, and the half of one per centum on its capital stock over two hundred thousand dollars; each director shall

Directors to take oath.

take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of the bank, and not knowingly violate, or willingly permit to be violated, any of the provisions of this act, and that he is the *bona fide* owner in his own right of the stock standing in his name on the books of the bank, and that the same is not hypothecated or in any way pledged as security for any loan obtained or debt owing, which oath subscribed by himself and certified by the officer before whom it was taken, shall be filed and carefully preserved in the office of the recorder of deeds in the county in which the bank is located; but no person shall be president, cashier or director, or either, of more than one bank at the same time.

To be filed.

Term of directors.

SECTION 14. That the directors of any bank first elected shall hold their places until the first Monday in November next thereafter and until their successors shall be elected and qualified;

Annual elections

all subsequent elections shall be held annually upon the first Monday in November, and the directors so elected shall hold their places for one year and until their successors are elected and qualified; but any director removing from the state or ceasing to be the owner of the requisite amount of stock shall thereby vacate his place; any vacancy in the board shall be filled by appointment by the remaining directors; the director so appointed shall hold his place until the next annual election; and if from any cause an election of directors should not be made at the time appointed, the bank shall not for that cause be dissolved, but an election may be held on any subsequent day, thirty days' notice thereof having been given in a newspaper printed in the county where the bank is located.

Vacancies.

Votes.

SECTION 15. That in all elections for directors and in deciding all questions at meetings of the stockholders, each share

shall entitle the holder thereof to one vote; stockholders may vote by proxy duly authorized in writing, if dated within thirty days, but no officer, clerk, teller or book-keeper of the bank shall act as proxy, and no stockholder whose liability to the bank is past due and unpaid shall be allowed to vote.

SECTION 16. That the capital stock of each bank shall be divided into shares of fifty dollars each, and shall be assignable on the books of the bank in such manner as the by-laws shall prescribe; but no shareholder shall have power to sell or transfer any shares held in his own right so long as he shall be liable either as principal debtor, surety or otherwise to the bank for any debt, without the consent of a majority of the directors, nor shall such shareholder when liable to the bank for any debt that is overdue and unpaid be entitled to receive any dividend, interest or profit on such shares as long such liabilities shall continue, but all such dividends, interests or profits shall be retained by the bank and applied to the discharge of such liabilities.

Shares.

Transfers.

Liability of shareholders to bank.

SECTION 17. That if any shareholder or his assignee shall fail to pay any instalment on his stock when the same shall be required to be paid, the bank may sell such stock at public auction, having given three weeks' previous notice thereof in two newspapers, if two are published in the county where the bank is located, to the highest and best bidder for the same, and the excess, if any, after paying the expenses of the sale, shall be refunded to the delinquent stockholder.

Failure to pay instalments.

SECTION 18. That if any bank authorized by the provisions of this act shall refuse to pay its notes of circulation, or any of them, in gold or silver coin of the lawful currency of the United States, on which payment shall be lawfully demanded at its banking house or customary place of doing banking business during usual banking hours, the holders of such notes may cause the same to be protested for non-payment by a notary public under his official seal in the usual manner; and the auditor general, on receiving and filing in his office such protest, shall forthwith give notice in writing to the maker of such note or notes to pay the same, and if they omit to pay the same with interest, at the rate of twelve per centum per annum, and costs of protest, for twenty days after such notice, the auditor general may thereupon notify such bank that it has committed an act of insolvency.

Refusal to pay notes in specie to be declared an act of insolvency

SECTION 19. That the auditor general, after having notified such bank that it has committed an act of insolvency, shall forthwith appoint a committee of three judicious and discreet citizens of this commonwealth, who shall receive five dollars per day each and their traveling and necessary expenses, all of which to be paid by said bank, who shall make immediate inquiry into the truth of such information, and report thereon to the auditor general of the commonwealth; and if the said committee, or a majority of them, shall report that such bank has suspended payment of its notes in gold and silver, he shall forthwith apply to the court of common pleas of the proper county, if in session, or to the president judge of the district in which the said bank is located, in vacation, appoint a suitable receiver who shall take immediate possession of the books, re-

Proceedings in case of insolvency.

cords, money, choses in action and property of such bank of every description, including the securities deposited with the said auditor general, and hold the same for the joint use of the creditors of such bank: The compensation of such receiver shall be five dollars per day each, and traveling and necessary expenses, to be paid by said bank whose assets he is appointed to take possession of.

Duty and power  
of receiver.

SECTION 20. That the receiver appointed as provided in this act shall be required to give bond in such sum and with such sureties as the said court or judge shall deem sufficient, and under the direction of said auditor general, shall proceed to settle up the affairs of such bank, and court of common pleas, shall convert into money all its assets of every kind whatsoever with the least possible delay; the money so made shall be applied,

I.—To pay all the liabilities on account of the notice of circulation, to pay the same on demand, and set aside a sum sufficient to meet all the said notes outstanding.

II.—Then to pay all the deposits of the bank.

III.—To the payment and discharge of all the remaining liabilities of such bank.

IV.—And the residue shall be divided among the stockholders of the failing bank, in proportion to the stock by them respectively held.

Cashier to pub-  
lish monthly  
statement.

SECTION 21. That it shall be the duty of the cashier of every bank to publish monthly in two newspapers, if two are published, and if two are not published, then in one paper of said county wherein the same may be situate, if there be one published in said county, the entire amount of the assets of the bank as herein provided for, and every class of items therein under separate heads, setting forth the amount of the capital stock actually paid in, the entire amount of indebtedness and liabilities of said bank, the amount of circulation, the amount of deposits, the amount of gold and silver in the vaults of the bank at the time of making the exhibit, the amount of bills, bonds, notes and other evidences of debt, the value of the real and personal property of the bank.

Dividends, when  
to be declared  
and paid.

SECTION 22. That the directors of each bank shall semi-annually, on the first Monday in May and November, declare a dividend of so much of the net profits of the bank as they shall judge expedient, and pay the same to the stockholders on demand of, at any time after the expiration of ten days therefrom; but such dividend shall in no case exceed the amount of the net profits actually acquired, so that the capital stock of the bank shall never be thereby impaired, and if the directors of the bank shall make any dividends which shall impair the capital stock of the bank, the directors consenting thereto shall be jointly and severally liable in any action of debt, *scire facias* or bill in equity, in their individual capacities, to such corporation for the amount of the stock so divided, and each director present or otherwise when such dividend shall be made, shall be adjudged to be consenting thereto, unless he forthwith enter his protest on the minutes of the board, and give public notice to the stockholders of the declaring of such dividend.

Limitation.

Individual lia-  
bility.

SECTION 23. That said banks shall pay into the treasury of the state in the manner now directed by law for the payment of a tax on dividends as follows: On all dividends which do not exceed six per centum per annum, eight per centum; on dividends exceeding six per centum and not exceeding seven per centum, a tax of nine per centum; on dividends exceeding seven per centum and not eight per centum per annum, a tax of ten per centum; on dividends exceeding eight per centum per annum and not exceeding nine per centum, a tax of twelve per centum; on dividends exceeding nine per centum and not exceeding ten per centum, a tax of thirteen per centum; on dividends exceeding ten per centum and not exceeding eleven per centum, a tax of fifteen per centum; on dividends exceeding eleven per centum and not exceeding twelve per centum, a tax of seventeen per centum; on dividends exceeding twelve per centum and not exceeding fifteen, a tax of twenty per centum; on dividends exceeding fifteen per centum and not exceeding twenty per centum, a tax of twenty-five per centum; and on all dividends exceeding twenty-five per centum, a tax of thirty per centum.

SECTION 24. That on each dividend day the cashier shall make a full, clear and accurate statement or exhibit of the condition of the bank, as it shall be on that day after declaring the dividend, which shall be verified by the oath of the president or cashier, setting forth,

Cashier to make statement on each dividend day.

I.—The amount of the capital stock actually paid in, and then remaining as the actual capital stock of the bank.

II.—The amount of the bills and notes of the bank then in circulation, specifying the amount of each denomination.

III.—The greatest amount of notes in circulation at any time since the making of the last previous statement, specifying the time when the same occurred.

IV.—The balances and debts of every kind due to banks of this State, and the amount due to banks not of this State.

V.—The amount due to depositors.

VI.—The total amount of debts and liabilities of every description, and the greatest amount since the last previous statement, specifying the time when the same occurred.

VII.—The total amount of dividends declared on the day of making the statement.

VIII.—The amount of gold and silver coin and bullion belonging to such bank, and in possession at the time of making the statement, designating the amount of each.

IX.—The amount on hand of bills, bonds, notes and other evidences of debts discounted or purchased by the bank, specifying particularly the amount of suspended debt, the amount considered bad, the amount considered doubtful and the amount in suit or judgment.

X.—The value of the real and personal property held for the convenience of the bank, specifying the amount of each.

XI.—The amount of real estate taken for debts due the bank, and still held.

XII.—The amount of the undivided profits of the bank.

XIII.—The total amount of the liabilities to the bank by the directors thereof collectively, specifying the gross amount of



such liabilities as principal debtors, and the gross amount as endorsers or sureties.

XIV.—The total amount of liabilities to the bank by the stockholders thereof collectively, specifying the gross amount of such liabilities as principal debtors, and the gross amount as endorsers or sureties, which statement shall be forthwith transmitted to the auditor general of the commonwealth, and a copy thereof immediately published three times in two newspapers of the county in which said bank is located: *Provided*, The same are published, one of which papers shall be in the German language, if published within the county, else in two English papers.

Proceedings in case of bank denying act of insolvency.

SECTION 25. That if any bank against which the auditor general shall have instituted proceedings on account of any supposed act of insolvency as prescribed in this act, shall deny having committed such act of insolvency, such bank may apply to any court of competent jurisdiction for a writ of injunction to said auditor general to suspend all further proceedings against such bank as an insolvent bank, and such court, after citing said auditor general to appear and show cause why such writ should not be granted, and after the finding of a jury that such bank has at all times continued, and still continues, to redeem in gold and silver coin its notes of circulation, shall make an order enjoining the auditor general from all further proceedings against such bank on account of the supposed act of insolvency on which such proceedings were instituted, and thereupon all the property and assets of such bank shall be restored to its directors.

Failure of auditor general to proceed in case of insolvency.

SECTION 26. That if the auditor general in any case fail to proceed in the manner prescribed in the foregoing sections of this act in providing for the payment of the outstanding notes of circulation and other liabilities of the failing bank, and in closing the affairs of any bank that shall have committed an act of insolvency, the holders of any of its notes of circulation or other creditors of such bank may, in case payment of such notes of circulation or other claim has been refused when lawfully demanded and remain unpaid, apply to any court of competent jurisdiction for its writ commanding the auditor general so to proceed, and it shall be the duty of the said court, after citing such bank to appear and show cause why such writ should not issue and upon the finding of a jury that such act of insolvency has been committed, to issue their writ commanding said auditor general forthwith to proceed in the manner pointed out in the preceding sections of this act to provide for the payment of outstanding notes of such bank, close up its affairs and make distribution of its assets.

Neglect or refusal of banks to comply with order of auditor general.

SECTION 27. That if any bank shall neglect or refuse to comply with any order of the auditor general made in accordance with the provisions of this act requiring such bank to reduce its circulation, or to provide a larger amount of specie or other means, or to pay in its stock or to do or cease to do any other matter or thing which said auditor general may deem necessary for the security of the noteholders and other creditors, then the auditor general may apply to any judge of competent jurisdiction by petition in which the auditor general shall be made

the petitioner, and the bank implicated defendant, setting forth the substance of such order or orders, and such neglect or refusal on the part of the bank, its officers or agents, and the auditor general having made affidavit of such neglect or refusal, then it shall be the duty of such judge to allow an injunction and to enjoin such bank, its officers, agents and all others in its employ or connected therewith, from doing or suffering or permitting to be done any business whatever as a bank, from intermeddling with, or in any manner disposing of the books, papers, money, choses in action, assets or property of the bank until the further order of the judge to whom application had been made as aforesaid; a petition reciting the proceedings had shall be filed in the court where proceedings have been had as soon as the injunction is allowed.

Injunction to be allowed.

Petition to be filed.

SECTION 28. That upon the allowance of any such injunction, the property, credits, securities, liens and assets of every description of such bank shall forthwith vest in the receiver or receivers appointed by the court to take possession of the same as is provided heretofore by this act; a certificate of the appointment of such receiver shall be sufficient authority to him to take possession of the books, property and rights of every description of such bank, and shall be full authority to the sheriff of the county where the bank is located, to give such receiver full possession of such books, property and rights, with the aid of the county, if required, and said bank and receiver under the direction of the court shall be governed by the provisions of this act.

Upon allowance assets to vest in receiver appointed by court.

SECTION 29. That no bank shall take as security for any loan or discount, a lien on any part of its capital stock, but the same security, both in kind and amount, shall be required of shareholders as of persons not shareholders, and no bank shall be the holder or purchaser of any portion of its capital, or of the capital stock of any other incorporated bank, unless such purchase shall be necessary to prevent loss upon a debt previously contracted in good faith on security which at the time was deemed adequate to insure the payment of such debt independent of any lien upon which stock, or in case of forfeitures of stock for the non-payment of instalments due thereon as provided in this act; and stock so purchased shall in no case be held by the bank so purchasing for a longer period of time than six months, if the same can be sold for what the stock cost the said bank, or at par, nor shall any bank, either directly or indirectly, pledge, hypothecate or exchange any of its notes of circulation for the purpose of securing money to be paid in on its capital stock, nor pledge or hypothecate, directly or indirectly, any such notes to be used in its ordinary business operations.

Lien on capital stock not to be taken as security for loans or discounts.

Holders or purchasers of capital stock of banks.

Pledging or exchanging notes for certain purposes prohibited.

SECTION 30. That no bank shall during the time it shall continue its operations, withdraw, or permit to be withdrawn, either in form of dividends, loans to stockholders or in any other manner, any portion of its capital stock, and if losses shall at any time have been sustained by the bank equal to, or exceeding its undivided profits then on hand, no dividends shall be made, and no dividends shall be made by a bank while it shall continue its banking operations to an amount greater than its

No portion of capital to be withdrawn.

Losses.

Dividends.

- net profits then on hand, deducting therefrom its losses and bad and suspended debts, and all debts due to a bank on which interest is due and unpaid for a period of six months, unless the same shall be well secured or shall be in process of collection, shall be considered bad and suspended debts within the meaning of this section.
- Debts.**
- Circulation.** SECTION 31. That no bank shall at any time issue or have in circulation any note, draft, bill of exchange, acceptance, certificate of deposit or other evidence of debt which from its character or appearance shall be circulated, or intended to circulate, as money other than such notes of circulation as are by this act described, and which such bank is by this act authorized to issue for the purpose of being circulated as money.
- Banks to receive at par each other's notes.** SECTION 32. That each bank shall receive at par, at the office or banking house of such bank, in payment of dues payable at such bank, for notes of hand, bills of exchange or other evidences of debt discounted or purchased by, or belonging to such bank, the notes of circulation issued by any other solvent bank incorporated under the provisions of this act.
- Rate per centum** SECTION 33. That every bank may take, reserve, receive and charge on any loan or discount made, or upon any note or bill of exchange or other evidence of debt, at the rate of six per centum per annum on the amount of any such note, bill of exchange or other evidence of debt so discounted, and no more: *Provided however,* That interest may be reserved or taken in advance at the time of making the loan or discount according to the usual rules of banking, and the knowingly taking, reserving or charging on any debt or demand discounted or purchased by any bank a rate of interest greater than that allowed by this section shall be held and adjudged a forfeiture of such debt or demand; but the purchase or discount of a *bona fide* bill of exchange or note payable at another place than the place of such purchase or discount, and the taking or reserving of interest thereon at the rate aforesaid from the time of such purchase or discount until the maturity of such bill or note shall not be held usurious, although exchange on the place where it is made payable is at the time of such purchase or discount worth a premium; if the bill or note is paid at the place of discount, instead of the place where it is made payable, it shall not be deemed usurious to charge the rate of exchange between the two points; nor shall the discount or purchase of a *bona fide* bill or note payable at a place between which and the place of discount or purchase, exchange is in favor of the place of discount or purchase, and the taking in addition to the rate of interest aforesaid, the rate of exchange between such places, be deemed usurious: *Provided,* That no loan to, or discount in favor of any director in which more than six per centum shall be taken, reserved or charged shall be forfeited; but the same shall be valid against such party: *And provided further,* That no director shall be allowed to purchase any note or obligation which has been rejected by the board of directors, except upon the same terms prescribed by the bank.
- Proviso.**
- Proviso.**
- Transfers of notes, bonds, &c., to be null and void in certain cases.** SECTION 34. That all transfers of notes, bonds, bills of exchange and other evidences of debt owing to any bank, or of deposits to its credit, all assignments of mortgages or other se-

curities on real estate, or of judgments, or decrees in its favor, all deposits of money, bullion or other valuable thing for its use, or for the use of any of its stockholders or creditors, all payments of money to either, made after the commission of an act of insolvency, or in contemplation thereof, with a view to prevent the application of its assets in the manner prescribed by this act, or with a view to the preference of one creditor to another, except in payment of its circulating notes, shall be held utterly null and void.

SECTION 35. That if the directors of any bank shall knowingly violate, or knowingly permit any of the officers, agents or servants of such bank to violate any of the provisions of this act, all the rights, privileges and franchises of such bank shall thereby be forfeited; such violation shall however be determined and adjudged by a court of competent jurisdiction agreeably to the laws of this state and the practice of such court, before the corporation shall be declared dissolved; and in case of such violation, every director who participated in, or assented to the same, shall be held liable in his personal and individual capacity for all damages which the bank, its shareholders or any other persons, body politic or corporate shall have sustained in consequence of such violation. Violation of this act by directors or officers.

SECTION 36. That every president, director, cashier, teller, clerk or agent of any bank who shall embezzle, abstract or wilfully misapply any of the moneys, funds or credits of such bank, or shall fraudulently and without authority from the directors, issue or put in circulation any of the notes of such bank, or shall without such authority fraudulently issue or put forth any certificate of deposit, draw any order or bill of exchange, make any acceptance, sign any note, bond, draft, bill of exchange, mortgage or other instrument of writing, or shall make any false entry on any book, report or statement of the bank, with an intent in either case to injure or defraud such bank, or to injure or defraud any other company, body corporate or politic, or any individual person, or to deceive any officer or agent appointed to inspect the affairs of any bank, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be confined in the penitentiary at hard labor not less than one nor more than ten years. Embezzling or misapplying moneys, credits, &c., deemed misdemeanor.

SECTION 37. That the several banks and banking associations of this commonwealth incorporated for the purposes of banking under special charters are hereby authorized by a vote of the stockholders of said institutions to call in and cancel their circulating notes and to carry on the business of banking under the provisions of this act, and that any association of citizens who have declared their intention to make application to the present legislature for an act of incorporation to organize a bank of issue, and have caused such advertisement to be made of the same as is required by law, may with their associates establish a bank under the provisions of this act at any time after its passage: *Provided*, The attorney general is satisfied and does certify that such advertisement has been made in conformity with the constitution and present laws of this commonwealth. Banks incorporated under special charters, and such as have advertised application.

Notes to be received in payment of state taxes and dues.

Banks doing business under other acts, privileges and duties of.

**SECTION 38.** That the notes issued by any bank incorporated under this act shall at all times be receivable in payment of all state taxes and other state dues.

**SECTION 39.** That the banks of this commonwealth doing business under other laws than this act, are hereby authorized, by a vote of the stockholders of each of said institutions, to call in not less than twenty-five per centum per annum of their circulating notes, and upon depositing with the auditor general an equal amount of the bonds of this commonwealth or of the United States, as provided in the tenth section of this act, shall be entitled to receive an equal amount of circulating notes in blank, of the denominations such as they may require, numbered, registered, countersigned and stamped as required by the provisions of this law; and when fifty per centum of the circulating notes of the old bank are called in and cancelled, the said bank shall be entitled to letters patent from the governor, and have all the privileges and advantages of this law as fully as is provided for if the said bank had been originally formed under this act; but the remaining fifty per centum of the notes of the old bank shall be withdrawn and cancelled within two years thereafter, and their place, or so far as necessary for the uses of the said bank, supplied with circulating notes under the provisions of this act, or the said bank shall be proceeded against by the auditor general and closed, as in case of an act of insolvency under this law.

Certain violations of this law by directors to be regarded as an act of insolvency

**SECTION 40.** If the directors of any bank established under the provisions of this law, shall discount for themselves or either of them, or for any shareholder in the said bank, an amount equal to the stock in the said bank owned and held by the directors or shareholder, with the intent and for the purpose of his or they withdrawing the amount of capital stock paid in by them or either of them, or if any bank shall either directly or indirectly pledge, hypothecate or exchange any of its notes of circulation for the purpose of securing money to be paid in on its capital stock, it shall be taken and regarded as an act of insolvency, upon which the auditor general shall institute the proceedings provided by this law, in case a bank has suspended payment of its notes in gold and silver.

Repeal.

**SECTION 41.** Any laws of this commonwealth changed or altered by the provisions of this act, or inconsistent with it, are hereby repealed, so far as applicable to the banks which may accept of its provisions or be incorporated under this law.

Reservation.

**SECTION 42.** That the general assembly may alter or repeal this act at pleasure; but no act altering or repealing this act shall inflict any injustice or wrong upon the stockholders of any bank.

Amount of specie each bank to have on hand.

Outstanding circulation.

**SECTION 43.** That each bank shall at all times have on hand in gold or silver coin, or its equivalent, in its vaults, an amount equal to eight per centum of all its circulating notes of every description whatsoever, and whenever the amount of its outstanding circulating notes shall exceed the above named proportion, no more of its notes shall be paid out, or otherwise put in circulation by such bank, nor shall such bank increase its liabilities by making any new loans or discounts, nor make any dividends of its profits, until the required proportion between

its outstanding circulating notes and gold and silver coin, or its equivalent, shall be restored.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 474.

### A N A C T

To authorize the Trustees of Union Seminary, New Berlin, Union county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Union seminary of the East and Central Pennsylvania company of the Evangelical association in the United States of North America, be and they are hereby authorized to borrow, on the credit of the said institution, a sum of money not exceeding three thousand dollars.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 475.

### A N A C T

To abolish the Perkiomen Independent School District, of Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

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the independent school district known as the Perkiomenville independent school district, of the county of Montgomery, and composed of portions of Frederick, Marlborough, and Upper Salford townships, be and the same is hereby abolished.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 476.

## A FURTHER SUPPLEMENT

To an act incorporating the Westminster Collegiate Institute, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the board of trustees of said institute, shall have full power to transfer said institute, at any future period, to any new location within the bounds of this commonwealth; and such transfer shall not invalidate the charter, scholarship, just obligations, or claims of said institute.*

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 477.

## AN ACT

To establish the Union School District of Chester and Delaware counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

from and after the passage of this act, the territory embraced within the following limits, to wit: Beginning at a stone in the Street road, known as the corner of Charles H. Tanguy and Joseph Hiser, and following the line of said Tanguy to the line of Jabez Lawton; thence along the line of said Lawton to the line of Charles Baldwin; thence along the line of said Baldwin to the line of Jesse Russell; thence around said line of Russell to the line of Charles Baldwin again; thence along said line to the line of Anthony Baker; thence along said line to the line of Ellwood Smedley; thence along said line to the line of Robert M'Cormick; thence along said line to the Ashbridge road; thence along said road to the corner of Sharpless Lewis and Benjamin Smedley, in said road; thence along the line of said Lewis to the line of Leman Watson; thence along said line to the line of Hannah Marshall; thence along said line to the line of Abraham James; thence along said line to the line of Joseph Dutton; thence along said line to the line of Benjamin Hickman; thence along said line to the line of Abraham W. Baily; thence along said line to the place of beginning, be and the same is hereby erected into a separate school district, to be called the Union school district of Chester and Delaware counties; and the said district so erected shall be entitled to receive its proportion of the state appropriation, and also its proportion of taxes raised for school purposes in the townships of Thornbury and Edgmont, Delaware county, and Willistown and Westtown, Chester county, parts of which townships compose the said district.

School district  
established.

Boundaries.

State appropriation  
and taxes for  
school purposes.

SECTION 2. That Charles Baldwin, Homer Eachus, Abraham W. Baily, Edwin Hoopes, Ellwood Smedley and Charles H. Tanguy, be and they are hereby appointed school directors for the said Union school district, for the present year, and until the next regular election for that purpose, at which time the citizens of said district shall elect six school directors, two to serve three years, two to serve two years, and two to serve one year; and the above named directors, hereby appointed, may appoint a treasurer for the present year, to exercise the same powers and perform the same duties that are now exercised and performed by the treasurers of other school districts.

School directors  
for the present  
year.

Election.

Treasurer to be  
appointed.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 478.

## A N A C T

To repeal the act relating to Auctioneers in the city of Erie, approved the thirtieth day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act relating to auctioneers in the city of Erie," approved the thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby repealed.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 479.

## A S U P P L E M E N T

To an act to incorporate the Mifflin and Centre County Railroad Company.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the capital stock of the Mifflin and Centre County railroad company shall be reduced to one hundred thousand dollars, and shall be divided into two thousand shares of fifty dollars each.*

J. H. SELTZER,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 480.

A N A C T

Relating to Reference and Arbitration in the city and county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act of assembly, passed June sixteenth, Anno Domini one thousand eight hundred and thirty-six, entitled "An Act relating to reference and arbitration," as relates to compulsory arbitration in the city and county of Philadelphia, be and the same is hereby repealed.*

J. H. SELTZER,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 481.

A N A C T

To legalize the Security of Supervisors of Roads, and Overseers of the Poor, in the county of Lycoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all bonds of security taken in conformity with the act, approved the sixteenth day of March, one thousand eight hundred and sixty, entitled "An Act requiring supervisors of roads and overseers of the poor in this commonwealth to give security," from supervisors of roads, and overseers of the poor, in the county of Lycoming, shall be held and deemed good and effectual: Provided, The said bonds be given by such supervisors and overseers of the poor, within ninety days after their election, and before entering upon the duties of their respective offices; and the official acts of any such officers, so giving bond, shall be as valid*

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and binding, to all intents and purposes, as if such bonds had been given within one month after the election.

J. H. SELTZER,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 482.

## A N A C T

Authorizing the County Surveyor of the county of Somerset to Transcribe the Official Record of the Drafts of all Surveys in said county.

## Preamble.

WHEREAS, The records of the official drafts of surveys in the office of the county surveyor of Somerset county have been so impaired, from long use, that many drafts have already been lost and others are liable to be lost from further use; therefore,

## County surveyor authorized to transcribe drafts

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Enoch D. Yutzy, the present county surveyor of said county, is hereby authorized to transcribe all said drafts in a suitable book, to be purchased by the county for that purpose, which, when completed and approved as hereinafter described, shall be and remain in said office an official record of all said surveys.

## Record to be submitted to court of quarter sessions for approval.

SECTION 2. That the record so transcribed shall be submitted to the court of quarter sessions of said county for its approval; and upon the certificate of the clerk of said court of the approval of the same, and the number of drafts transcribed, the county treasurer is hereby authorized to pay to the said Enoch D. Yutzy the sum of twenty cents for each and every draft transcribed, out of any county funds in his hands.

## Compensation for transcribing.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 483.

## A N A C T

Relative to Wager Street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the ninth section of an act, entitled "A further supplement to an act passed the twenty-seventh day of February, A. D. eighteen hundred and forty-seven, entitled 'An Act to incorporate the district of Richmond, in the county of Philadelphia,'" relative to the vacation of Wager street, in the district of Kensington, in the city of Philadelphia, be and the same is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 484.

## A N A C T

To erect the borough of Tioga, in the county of Tioga, into a separate School District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the borough of Tioga be and the same is hereby erected into a separate school district, under the common school law.

Separate school district authorized.

SECTION 2. That the directors of the township of Tioga, residing within the limits of said township, shall appoint one suitable person to fill the vacancy in said township, occasioned by one of their number residing within said borough; and that it shall be lawful for the burgess of said borough to call an election, as required by law, for filling vacancies in offices in said borough, to elect five school directors, who, with the di-

Director to be appointed in Tioga township.

Burgess to order an election.

rectors residing within said borough, shall constitute the board of directors of said borough, who shall hold their offices as follows: One to hold his office for three years, two to hold their office for two years, and two to hold their office for one year thereafter; two directors to be elected annually, to hold their office for three years.

**Board of directors.** **Debts of borough for school purposes, how settled.** SECTION 3. That the debts of said borough and township, for school and building purposes, shall be settled up as of the first of May, one thousand eight hundred and sixty-one, in the same proportion and manner as though said borough had not been erected into a separate school district.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 485.

## AN ACT

Relative to the Somerset School District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the boundaries of the school district of the borough of Somerset, in the county of Somerset, shall be so enlarged as to extend one mile north, south, east and west from the centre of the public square, in said borough, and so as to make the boundary lines of said borough, for the purpose aforesaid, two miles long on each of the four sides thereof.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 486.

## SUPPLEMENT

To the act to incorporate the Tuscarora Female Institute, approved twelfth March, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That said trustees shall have power to lease such building or buildings as may be necessary, in their opinion, for the purpose of this act, and shall have power to re-lease the same to such person or persons they may select as principal of said institute.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 487.

## A N A C T

Authorizing an Independent School District out of parts of Union and Snyder counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the territory embraced within the following limits of Union and Snyder counties, shall form an independent school district, to be called the Union school district of Union and Snyder counties, beginning at the corner of Jackson and Monroe townships, on the north side of Penn creek, in Snyder county; thence north along the line between said townships until it intersects the Union and Snyder counties on the public road leading from New Berlin to Northumberland; thence west along said line to the cross-roads on the farm of John Kunkle; thence north along said cross-roads to the north-west corner of the farm of Philip Sabold, in Union township; thence due north until it intersects the line between

Independent  
school district  
formed.

Boundaries.

Union and East Buffalo township; thence west along said line to the Limestone township line; thence south along said line between Union and Limestone township till it intersects the Union and Snyder county line; thence due south to the north side of Penn creek, in Snyder county; thence along the south side of said creek to the place of beginning.

State appropriation and taxes.

SECTION 2. That said district shall be entitled to receive its proportion of the state appropriation, and also its proportion of taxes raised for school purposes in the township of Union, in Union county, and Jackson township, in Snyder county, which compose the said district.

E. PENN SMITH,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 488.

## A SUPPLEMENT

To the act incorporating the Philadelphia Steam Propeller Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the rights and privileges conferred upon the Philadelphia Express steamboat company by the last proviso attached to the sixth section of the act incorporating said company, be and the same is hereby conferred upon the Philadelphia steam propeller company.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 489.

## A N A C T

To enable the Court of Common Pleas of Juniata county to open a certain Account.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the court of common pleas of Juniata county shall have power and authority, on the application of the present or any future committee of Lewis H. Horning, a lunatic, within one year from and after the passage of this act, to open the account of Samuel Horning, former committee of said Lewis H. Horning, and refer the same to an auditor, and otherwise to settle and adjust said account, the same as if said account had never been confirmed.*

E. PENN SMITH,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 490.

## A N A C T

To authorize the Burgess and Town Council of the borough of Beaver, in the county of Beaver, to Lease a certain Lot or Piece of Ground for the purpose of Boring for Oil, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the burgess and town council of the borough of Beaver, in the county of Beaver, are hereby authorized and empowered to lease and let all that piece or narrow strip of ground below the lot of David Mireis, now of Samuel Purvis, and between the Ohio river and the lots of the town of Beaver, as laid out by Daniel Leet, deputy surveyor, and owned by said borough, for the purpose of boring and excavating for Seneca oil and other minerals, with all the rights and privileges necessary for boring and ex-*



cavating for oil and other minerals, and for gathering and removing the same, for any period of time and upon any conditions deemed expedient.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 491.

## AN ACT

Granting further Powers to the Inspectors of the Philadelphia County Prison.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the inspectors of the Philadelphia county prison shall have full power to treat prisoners, sentenced to be hanged, and who are not executed after an imprisonment of six months, as other convicts are, who are sentenced to confinement and labor.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 492.

## A FURTHER SUPPLEMENT

To an act supplementary to the acts relating to Hawkers and Pedlers, and regulating Auctions in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, no person or persons shall sell or expose to sale, within the county of Luzerne, as a hawker, pedler or traveling merchant, any foreign or domestic goods, wares or merchandise, under the penalty of fifty dollars for each and every such offence; and any justice of the peace or alderman, on view or the information or complaint, on oath or affirmation, of any other person, shall, in either case is hereby enjoined to proceed, in a summary way, against any such person so offending, to conviction; and in default of immediate payment of said forfeiture, to commit him to the common jail of said county, there to be detained until discharged by due course of law; and every repetition of the said offence shall be considered and punished as a new offence; and one-half of the penalties which may accrue under the provisions of this act, shall go to the informer, and the other half to the said county of Luzerne; and any such informer, notwithstanding his interest, shall be a competent witness.

Hawking and peddling in Luzerne county prohibited.  
Penalty.

Duty of justices of the peace or aldermen.

Informer to be competent witness.

SECTION 2. It shall be the duty of any constable, on view of any offence under this act, to arrest any person offending under the same, and to take such offender before the nearest justice of the peace or alderman; whereupon such justice of the peace or alderman shall take cognizance of such offender in the same manner and with the same effect as if such offender had been arrested in pursuance of information or complaint duly made before such justice of the peace or alderman; and in such case one-half of the aforesaid penalty shall go to the constable making such arrest, and the other half to the said county of Luzerne; and any such constable, notwithstanding his interest, shall be a competent witness.

Arrest, &c.

Constable.

SECTION 3. Any justice of the peace or alderman shall have power to depute any person to act as constable, in case of the absence of the proper officer, to arrest any offender of the aforesaid provisions of this act shall not be so construed as to apply to persons vending goods of their own manufacture.

Justice may depute person to act in absence of constable.  
Persons vending goods of their own manufacture exempt.

SECTION 4. That in case of default of payment of any forfeiture under this act, the justice of the peace or alderman before whom any person offending, may be convicted, may retain any personal property found in the possession of such offender of the provisions of this act; and if such forfeiture shall not be paid within ten days after such conviction, the justice of the peace or alderman retaining such personal property, shall issue his precept to any constable, to sell the same on five days pub-

Default of payment of forfeitures, &c.

Proviso.

Proviso.

lic notice, the proceeds thereof to be applied to the payment of the penalty and the costs of the proceedings; and the balance, if any, to be paid over to the defendant, on proper demand made: *Provided*, That in any conviction under this act, the defendant may appeal to the court of common pleas, by first giving bail absolute for the payment of the penalty and all costs, in double the amount thereof: *Provided*, Such bail is given before the defendant is committed to the jail of said county.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 493.

## AN ACT

Supplementary to an act incorporating the Pittsburg and Steubenville Turnpike Road Company.

Change of location of road authorized.

Proviso.

May vacate certain part.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the directors of the Pittsburg and Steubenville turnpike road company shall have full power and authority, and the same is hereby granted and allowed to them, to alter or change the location of said road, from and between any points on said road lying between Saw Mill run and Chartiers creek, in Chartiers township, Allegheny county; and all acts or parts of acts inconsistent herewith, be and the same are hereby repealed: *Provided*, That the said company shall pay all damages arising or accruing therefrom, in accordance with the laws of this commonwealth in such case made and provided.

SECTION 2. That the directors of the said Pittsburg and Steubenville turnpike road company shall have full power and authority, and the same is hereby granted and allowed to them, to vacate that part of their said road, known as the Branch road, commencing at or near the public house of John Obey, and known as Obey's hotel, in Chartiers township, Allegheny county, on the main line of road, and running from said point on the main road for about half a mile, more or less, to a point on the Temperanceville and Noblestown plank road, where the said branch intersects the same.

SECTION 3. That the board of directors of the Pittsburg and Steubenville turnpike road company shall have full power and authority, and the same is hereby granted and allowed to them, to charge upon all and collect from persons not using so much of said road as to require them to pass through any toll-gate on said road kept by said company, but crossing upon the bridge erected by said company over the mouth of Saw Mill run and near the Ohio river, in the borough of West Pittsburg, Allegheny county, a rate of toll not to exceed one cent for each and every horse or mule, and five cents per score for all cattle, and two cents per score for all sheep and swine crossing said bridge; and that all acts or parts of acts heretofore passed inconsistent herewith, be and the same hereby are repealed. Tolls regulated.  
Repeal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 494.

## AN ACT

Relative to Recording Inventories of Appraisements of Decedents' Estates of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the register of Lancaster county is hereby authorized and required to place upon record, in a fair and legible hand, in a book or books to be provided by the county of Lancaster for that purpose, all inventories and appraisements of decedents' estates; the fees to be the same as those received in similar cases now performed by the register.

J. H. SELTZER,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 495.

## AN ACT

To incorporate the Saint Mary's Beneficial Society of Philadelphia.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> William J. M'Coy, Elias J. Molineaux, Jeremiah F. Finnigan, James Macshane, Andrew O. Kane, Joseph R. Coad, William H. Green, Owen Lamb, John O'Byrne, and Joseph J. Dugan, and such persons as now are, or hereafter shall become members of the Saint Mary's beneficial society, in the city of Philadelphia and state of Pennsylvania, are hereby constituted a body politic and corporate, by the name and style of "The Saint Mary's beneficial society of the city of Philadelphia," and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, in all courts of record or elsewhere, to take, hold and purchase, for the use of the said beneficial society, lands, goods, chattels, moneys, of any kind whatsoever, by gift, grant, conveyance, devise or bequest, from any person or persons, capable of making the same, to sell, convey, mortgage or dispose of, for the use of the society; and also to make and have one common seal, and the same to alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of the said society, not being contrary to this charter or the laws of the United States, or of this commonwealth, and generally to do all and singular the matters and things which may be lawful for them to do for the well-being of the society and the due management and ordering of the affairs thereof: <i>Provided</i> , That the estate shall in no case exceed the yearly value of three thousand dollars.
Name.	
Privileges.	
Seal.	
By-laws.	
Proviso.	
Object.	SECTION 2. The object of this society shall be to afford relief to the members thereof and their families, in cases of sickness, to defray the expenses of their funerals, or such other cases of distress as shall be defined by the by-laws.
Officers.	SECTION 3. The officers of this society shall consist of a president, vice president, secretary, treasurer, two stewards and a messenger, whose duties shall be prescribed by the by-laws.
Elections.	SECTION 4. The officers of this society shall be elected on the third Wednesday of March in each and every year, at such time and place as shall be provided by the by-laws.
Membership.	SECTION 5. Each person, on being admitted a member of this society, shall sign the constitution and pay such entrance money and monthly and other dues and contributions, as the society may by the by-laws from time to time resolve and establish.
Expulsion.	SECTION 6. A member may be expelled under such provisions as shall be in the by-laws declared.

**SECTION 7.** The duties and rights of the officers and members, the mode of supplying all vacancies, the time and place of meeting, the number required for a quorum, the terms of admission, the mode of electing members, and all other concerns of the society, shall be regulated by the by-laws hereafter to be made.

*Duties and rights of officers and members, &c., regulated by by-laws.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 496.

## AN ACT

To incorporate the Washington Library Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John H. Ewing, John G. Ford, Daniel Kane, L. Sweeny, J. L. Anderson, Joshua T. Willetts, their associates and assigns, be and are hereby incorporated and made a body corporate in law, by the name and title of the Washington library company, and shall have perpetual succession, and shall have, hold and enjoy forever, without restriction or invasion of said rights, all the powers, privileges and immunities incident to corporations, and shall have, hold and enjoy the right to hold such real and personal property or estate as may be deeded, bequeathed or conveyed unto it, and in general to make, alter, amend or annul such by-laws, rules, regulations and restrictions as may be deemed by the company, in its corporate capacity, requisite or proper for the carrying out the provisions of this act.

*Corporators.*

*Name.*  
*Powers.*

*By-laws.*

**SECTION 2.** Said corporation shall also have, hold and enjoy, in like manner as is provided for in the first section of this act, all the powers, privileges, immunities and liberties granted, conveyed and conferred in an act, entitled "An Act to incorporate the Home and Foreign Bible society of western Pennsylvania," approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, and also an act, entitled "An Act to incorporate the National Art association," approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-nine. In order to better carry out the objects of this act, it shall be the duty of the persons named in this act as corporators,

*Further privileges conferred*

Organisation.	to meet on such a day as the majority may determine, and they shall elect from their number a president, a secretary and such other officers as they may deem requisite and proper; and they shall open a book for subscription, in which shall be written, in person or by proxy, the names of the persons who may subscribe to the capital stock of the said company; the capital stock of the company, and the amount thereof, shall be fixed at said meeting: <i>Provided only</i> , That it shall not be less than twenty dollars nor more than one hundred dollars per share; and no other restriction above provided for shall be binding.
Subscriptions to capital stock.	
Proviso.	
Certificates of membership, how and to whom issued.	SECTION 3. The officers and members of said association shall have the right to issue to others, who may not be elected in the first instance, such certificates of membership, subject to such regulations or restrictions as they may deem proper, by a vote of the corporate members or their successors, who shall be chosen from time to time, as vacancies may occur: <i>Provided</i> , That if said vacancy should not be filled, it shall not be deemed to be a waiver of said act of incorporation or the benefits thereof: <i>Provided further</i> , That the cost of said certificates shall not be greater than twenty-five dollars, nor shall they entitle the holder thereof to a voice in the election of the officers, unless it shall be so provided by the said company; all laws in conflict with the provisions of this act are hereby repealed.
Vacancies.	
Proviso.	
Repeal.	

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 497.

## A SUPPLEMENT

To the act to incorporate the Manheim, Petersburg and Lancaster Turnpike or Plank Road Company, approved the ninth day of May, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Manheim, Petersburg and Lancaster turnpike or plank road company be and they are hereby authorized to issue preferred stock, not exceeding ten thousand dollars in amount, for the purpose of paying the debts of the company incurred in re-constructing their road, which stock shall be entitled to a dividend*

not exceeding eight per centum, as the directors of said company may determine, out of the earnings of the road, before any dividend is paid on the original stock issued by said company: *Provided*, This act shall not go into effect, unless first approved by a majority, in value, of the stockholders present, at a meeting called for that purpose, ten days notice of which shall be given by the president.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 498.

# A N A C T

To regulate Appeals from the Judgment of Aldermen in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all cases in which judgment shall have been rendered for plaintiff, by any alderman in the city of Philadelphia, no appeal shall be allowed unless the defendant shall make oath or affirmation, to be filed in the cause, that the same is not intended for delay merely.

SECTION 2. That all appeals from alderman, as aforesaid, shall be filed in the court of common pleas of the city and county of Philadelphia, on or before the monthly return day in said court next ensuing the date of the entry of the judgment before the alderman, instead of to the first day of the next term, as heretofore.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 499.

## AN ACT

To lay out a State Road from Butler, Butler county, to Franklin, Venango county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*  
**Commissioners.** Henry Pillow, John Glenn and Samuel Leason, of Butler county, be and they are hereby appointed commissioners to  
**Route.** view and locate a state road from Butler, Butler county, by way of Sunberry, in said county, and Clintonville, in Venango county, to Franklin, in said county.

**Duty of commissioners.** **SECTION 2.** That it shall be the duty of said commissioners, as soon as practicable, having first been sworn or affirmed before a justice of the peace or other proper officer, to perform the duties enjoined upon them by this act with impartiality and fidelity, which said oath shall be filed in his office by the said justice of the peace or other proper officer, carefully to view the ground and lay out the said road, having respect to the ground and shortest distance, so as best to subserve the public good and do the least damage to private property; and that they shall clearly and distinctly mark upon the ground the route agreed upon, so as to enable the supervisors to readily find the same. The grade of said road shall not exceed three degrees, after reasonable bridging and filling in.

**Drafts.** **SECTION 3.** That said commissioners shall make a fair and accurate draft of the location of said road, noting the courses and distances with a reference to the improvements. One copy thereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of October next, and one copy in the office of the court of quarter sessions of each of the counties through which said road passes, on or before the first day of October next. And thenceforth the road shall  
**Opening of road.** be, to all intents and purposes, a public highway, and shall be opened to the width of thirty-three feet, and shall be made and repaired, in all respects, as roads laid out by order of court;  
**Damages.** and the damages sustained by owners of land, if any, shall be assessed and paid as provided by act of thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

**Compensation.** **SECTION 4.** That the said commissioners, one of whom may be an artist, shall each be entitled to receive two dollars per day for each and every day they shall be necessarily employed in performing the duties enjoined upon them by this act; and the artist shall be entitled to receive fifty cents per day additional compensation; and the said commissioners shall be authorized to employ two chain carriers and an axeman, at a compensation not exceeding one dollar per day each; and the accounts shall be registered by the commissioners, and paid by the treasurers of said counties in the usual way; and if any

vacancy shall occur, by resignation or otherwise, the remaining Vacancies. commissioners or commissioner shall have power to supply such vacancy or vacancies; said commissioners shall have power to vacate any road or parts of road that may be considered un- May vacate road necessary, by reason of the location of this road: *Provided*, That the expenses of this view shall be paid by the counties *Proviso*. through which this road shall be located, in proportion to the time consumed in said counties respectively.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 500.

## AN ACT

Relative to Lunatics in the county of Wyoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter in all cases of acquittal, in the county of Wyoming, upon indictment for any offence, upon proof and by reason of insanity, in which the defendant has been or shall be sent to the State Lunatic asylum, the expenses incurred and to be incurred in the maintenance, care and support of such lunatic defendant, at such asylum, shall be borne by the said county: *Provided*, That this act shall not be so construed as to annul any right of recovery of such expenses from the relatives of such lunatic defendant, if of sufficient ability.

J. H. SELTZER,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 501.

## A N A C T

Relative to the Assessment and Collection of Taxes on Unseated Lands in Overton township, in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the present township officers of the township of Overton, in the county of Bradford, to make out and sign the proper papers and vouchers for the assessment and the levying of the taxes on unseated lands in said township, in all cases where the same has been neglected or omitted to be done within the last five years, and transmit the same to the commissioners of said county; and the said county commissioners, on receipt of the same, shall proceed to assess, levy and collect all such taxes, in the same manner and with like effect as if the same had been done at the proper time.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 502.

## A N A C T

Annexing the county of Clearfield to the Eastern District of the Supreme Court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the county of Clearfield shall constitute part of the Eastern district of the supreme court.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 503.

## A N A C T

Relative to the Franklin Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Cumberland Valley railroad company be and they are hereby authorized to guarantee the mortgage bonds of the Franklin railroad company, to an amount not exceeding two hundred thousand dollars: Provided, A majority of the stockholders of both companies shall agree to such guarantee.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 504.

## A N A C T

Relative to the Erection of New Townships.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever a new township has heretofore been or may hereafter be erected, whether by a division of one township or by uniting parts of two or more townships into one, the court of common pleas of the proper county, sitting in equity, shall have power, upon application of the proper supervisors, poor masters or school directors of any township or school district, by a suit or suits in equity, to adjust the taxes, debts and expenses for road, school and poor purposes between the said old township or townships and the said new township; and in the execution of any decree in any such suit or suits, the proper officers of the township liable to pay shall have power to levy separate rates of taxation, if necessary, on the said parts of townships so erected into one.*

## LAWS OF PENNSYLVANIA,

SECTION 2. Similar proceedings may be had in case of the division of any township, or upon a change of the boundaries of any township or townships.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 505.

## AN ACT

For the Relief of the Estate of H. L. Brown, deceased, of the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the select and common councils of the city of Erie are hereby authorized to adjust, with the executors of the estate of H. L. Brown, deceased, the amount of tax to be paid by said estate, for paving State street, in front of lots numbers two thousand and forty-three and two thousand and forty-four, on which Brown's hotel is situated, and to make such abatement of the amount of tax levied upon said property, for the improvement of State street aforesaid, as said councils shall deem just and reasonable: Provided, That any adjustment or abatement made in pursuance of this act, shall not affect the lien said city now has for said tax on the aforementioned property, under existing laws.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 506.

## AN ACT

To lay out a State Road in the counties of Lebanon and Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Shnotterly and Elias Grove, of Lebanon county, and Michael Shrack, of Berks county, be and they are hereby appointed commissioners to view and lay out a state road from a point in a public road leading from Myerstown to Jonestown, Lebanon county, at a corner on lands of Adam Heilman and John Albert; thence the nearest and best route to a point in the public road leading from Frystown to Pinegrove, near Brindel's saw mill, in Bethel township, Berks county, on lands of John Swartz. Commissioners. Route.

SECTION 2. That it shall be the duty of said commissioners, as soon as practicable, having first been sworn or affirmed before a justice of the peace or other proper officer, to perform the duties enjoined upon them by this act, with impartiality and fidelity, which said oath or affirmation shall be filed in his office by the said justice of the peace or other proper officer, carefully to view the ground and lay out the said road, having respect to the ground and shortest distance, so as best to promote the public good and do the least injury to private property; and they shall clearly and distinctly mark upon the ground the route agreed upon, so as to enable the supervisors to readily find the same. Duty of commissioners.

SECTION 3. That said commissioners shall have authority, by this act, to vacate any road or parts of a road hereby rendered useless, and to lay out any part of said road on the bed of any road or part of a road heretofore constructed or laid out by authority of law, or established by prescription or otherwise howsoever; and they shall make a fair and accurate draft of the location of said road, noting the courses and distances, with a reference to the improvements, one copy thereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of October next, and one copy in the office of the clerk of the court of quarter sessions of each of the said counties, on or before the said first day of October; and from thenceforth the road shall be to all intents and purposes a public highway, and shall be opened to the width of thirty-three feet, and shall be made and repaired in all respects as roads laid out by order of court; and the damages sustained by the owners of land, if any, shall be assessed and paid as provided by the act of thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six. Empowered to vacate or use other roads. Drafts. Opening of roads. Damages.

SECTION 4. That the said commissioners, one of whom may be an artist on said road, shall each be entitled to receive two dollars per day for each and every day they shall be necessarily Compensation.

Vacancies.

Proviso.

employed in performing the duties enjoined upon them by this act, and the artist shall be entitled to receive fifty cents per day additional compensation ; and the said commissioners are hereby authorized to employ two chain carriers and one axeman, at a compensation not exceeding one dollar per day ; and the accounts shall be registered by the commissioners and paid by the treasurers of said counties in the usual manner ; and if any vacancy shall occur by resignation or otherwise, the remaining commissioner or commissioners shall have power to supply such vacancy or vacancies by appointment : *Provided*, That the expense which the said counties of Lebanon and Berks will be liable to pay by reason of the laying out and opening of the road aforesaid, shall be proportioned between them, according to the length of said road in each of said counties.

E. PENN SMITH,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 507.

## AN ACT

To lay out a State Road in Venango, Butler and Armstrong counties.

Commissioners.

Route.

Duties of commissioners.

Pay.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William H. Piper, of Armstrong, and Matthew Riddle and John Fithian, of Butler county, be and are hereby appointed commissioners to view, and lay out and mark a state road leading from Kittanning, Armstrong county, to Franklin, Venango county, via Fairview, Butler county, and Clintonville, Venango county.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking an oath or affirmation before a justice of the peace to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground on which said road may pass, and lay out and mark the same upon the ground, on the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same ; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ two chain carriers at a per diem allowance not exceeding one dollar and fifty cents each,

and one axeman at a per diem allowance not exceeding one dollar and fifty cents; and the said commissioners respectively shall receive a per diem allowance not exceeding two dollars for each day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county: *Provided*, That if Matthew Riddle perform the duties of surveyor he shall receive an additional compensation of fifty cents per day. Proviso.

SECTION 3. That it shall be the duty of the commissioners to make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation, one copy to be deposited in the office of the clerk of the court of quarter sessions, in the respective counties through which the road may pass, on or before the first day of October next, and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty-three feet, and at a grade not exceeding five degrees, and to be made and repaired as all other roads, laid out by the courts, are made and repaired. Drafts.

SECTION 4. That the commissioners shall proceed, as soon as practicable, to complete the location of said road; and if any vacancy occur in their number, by death or resignation, or otherwise, the same shall be supplied by the remaining commissioner or commissioners selecting suitable person or persons to constitute a board of at least three members. Road to be opened.

SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road may pass, upon notice given, to proceed to open and make said road under the same provisions as if the said road had been laid out by the respective courts of quarter sessions. Vacancies.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 508.

## A N A C T

To Alter, Renew and Extend the Charter of the Tradesmen's Saving Fund and Loan Association of Philadelphia.

WHEREAS, At a court of common pleas for the city and county of Philadelphia, held the second day of March, in the year of Preamble.



our Lord one thousand eight hundred and fifty-two, the Tradesmen's saving fund and loan association of Philadelphia was duly incorporated by a decree of said court, agreeably to the constitution and laws of this commonwealth:

*And whereas,* The period of time for which the charter of said association was granted will soon expire, and the members thereof are desirous of having the same renewed and extended, with such additions and amendments to the present constitution as have been suggested by former experience; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Tradesmen's saving fund and loan association of Philadelphia be and the same is hereby renewed, extended and continued for the further term of twenty years, from and immediately after the expiration of its present period of time, and with like powers, authorities and immunities as a corporation or body politic in law and in fact, and by the same name, style and title as aforesaid; and that all matters and things, rights and privileges belonging or in any manner appertaining thereto, shall thereupon merge into the said renewed and extended charter, and be continued and conducted under the same, as fully, and to all intents and purposes, as if the said present charter had not expired.

**To be amended.** **SECTION 2.** That the said charter be and the same is hereby so altered and amended as together with the rights and privileges of the several acts of assembly in relation to building and loan associations, not inconsistent therewith, shall form the following constitution for the government of this association.

**Name.** **SECTION 3.** That this corporation shall be known by the name, style and title of the Tradesmen's saving fund and loan association of Philadelphia, and shall have for its object the accumulation of funds from monthly contributions and fines, premiums on loans, and interest on investments, for the mutual benefit of its members.

**Capital stock.** **SECTION 4.** That the capital stock of this corporation shall consist of and not at any time exceed three thousand shares of the par value of not more than two hundred dollars each, and may be issued and re-issued from time to time in one or more series; the stockholders shall be white persons of the age of twenty-one years and upwards; but white minors may hold stock in the same by trustees and not otherwise; and no stockholder or trustee shall be entitled to hold more than fifty shares at any one time.

**Officers.** **SECTION 5.** That the officers of this association shall be a president, treasurer, secretary and nine directors, all of whom must be stockholders, and together shall constitute a board of directors for the transaction of the affairs of the association; a majority of whom shall at all times form a quorum; they shall be elected by the stockholders at their annual meeting, in such manner and subject to such duties as the by-laws may order and direct, and shall continue in office until their successors shall be duly appointed.

**Annual meetings.** **SECTION 6.** That stated annual meetings of the stockholders shall be held on the first Tuesday of February, in each and

every year, for the general transaction of the affairs of the corporation; at which time the board of directors shall submit a report of their proceedings for the previous year, and a statement of the condition of the association.

SECTION 7. That stated monthly meetings of the board of directors shall be held on the first Tuesday of each and every month, for the purpose of receiving the monthly dues, interest and fines, for loaning the funds of the corporation, and for such other business as may be prescribed by the by-laws; these meetings and the proceedings of the board shall be open for the admission and inspection of the stockholders. **Monthly meetings.**

SECTION 8. That special meetings of the stockholders, at the written request of ten members, or by order of the board of directors, shall be convened by the secretary, by public advertisements in one or more of the daily newspapers of the city of Philadelphia, stating the time, place and object of such meeting: *Provided*, That no by-laws shall be created, altered or rescinded, without the concurrence of two-thirds of the members present; and no business shall be transacted, except that for which the meeting was called. **Special meetings.**

SECTION 9. That all elections shall be by ballot, and each stockholder or trustee personally present at any election, or the proceedings of any stated or special meeting of the association, shall be entitled to one vote, and no more; but any stockholder or trustee who shall be in arrears to the association for three months, shall not be entitled to such vote until all arrears are paid and satisfied. **Votes.**

SECTION 10. That each stockholder or trustee, for each and every share of stock held by him in this corporation, shall pay into the treasury, at the stated monthly meetings of the board of directors, the monthly contribution or sum of not less than one dollar in each and every month, and shall be subject to the payment of such other sums, fines and penalties as may be imposed by the by-laws. **Monthly contribution.**

SECTION 11. That the funds of the corporation shall be submitted and loaned to the highest bidder among the stockholders, in such way and manner, and upon such terms and conditions, not otherwise herein provided, as shall be prescribed by the by-laws; each stockholder, for each and every share of stock held by him, shall be entitled to receive a loan of not more than two hundred dollars: *Provided*, That no stockholder shall be entitled to more than the full par value of fifteen shares at any one and the same bid. **Funds, how loaned.**

SECTION 12. That the successful applicants for loans, at the time of receiving the amount loaned, shall pay any premium offered for the same into the treasury, for the mutual benefit of the members of the association, and shall secure the repayment of said loan by satisfactory bond and mortgage upon real estate, or by bond and warrant of attorney, and the stock of the association, or such other securities as may be agreed upon; and in all cases the stock upon which any loan may be obtained shall be transferred to the association as collateral security. **Premium.**

SECTION 13. That in case the funds of the association shall not be called for by any stockholder, or shall not otherwise be required, and shall remain unproductive for one or more months, **Funds may be loaned to others than stockholders or invested.**

they may then be loaned to others than stockholders, or invested in such other securities as the by-laws may direct.

What to have preference upon funds of the corporation.

SECTION 14. That loans secured by real estate, or wholly by the stock of the association, and any provisions made for the purchase or redemption of shares, shall, in all cases, have the preference upon the funds of the corporation, and shall be sanctioned by a vote of at least two-thirds, and all other loans or investments by three-fourths, of the board of directors.

Certificates of stock.

SECTION 15. That each member shall be entitled to a certificate of his stock, issued in the name and under the seal of the corporation, signed by the president and attested by the secretary; which certificate shall be transferable by assignment, in person or by attorney, in the presence of the secretary, and the assignee having first caused the transfer to be entered on the books of the corporation, and complying with the rules and regulations of the association, shall thereupon become a member of the same: *Provided*, That no transfer shall entitle the assignee to vote at any election, unless made at least ten days before such election.

Transferable.

Proviso.

Stockholders may withdraw shares upon giving notice.

SECTION 16. That any stockholder may withdraw from this corporation any or all of his shares not loaned upon, by giving one month's notice to the board of directors, when he shall be entitled to receive the amount of contributions actually paid in on such shares, without interest, after deducting all fines and his proportion of any loss and expenses, and shall transfer the stock so withdrawn, to the association; the withdrawal of shares loaned upon, shall be regulated by the by-laws.

Auditors, their duties.

SECTION 17. That at the stated meeting of the board of directors, held in January of each and every year, the president shall appoint three auditors, to be selected from stockholders who are not officers of the corporation, and whose duty it shall be to audit the accounts of the association and assess the value of the shares, and report the same to the stockholders at their next annual meeting in February following.

When stock may be redeemed.

SECTION 18. That when and as often as any stock shall mature and amount to its full par value, the same shall be redeemed and paid, or if loaned upon, the securities satisfied and discharged, and the stock transferred to the association at such times and in such way and manner as shall be prescribed by the by-laws.

By-laws.

SECTION 19. That the stockholders shall have power to frame and adopt by-laws, rules and regulations for the government of this corporation, not inconsistent or repugnant to this constitution or the constitution and laws of this state or of the United States.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 509.

## A SUPPLEMENT

To an act, entitled "An Act to authorize the Committee of Michael Fox, a Lunatic, to Sell and Convey Real Estate, and for other purposes," approved April sixteenth, one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the twenty-ninth section of an act, entitled "An Act to authorize the committee of Michael Fox, a lunatic, to sell and convey certain real estate, and for other purposes," approved the sixteenth day of April, one thousand eight hundred and thirty-eight, which provides for the exemption from taxation of all churches, meeting houses and other places of stated religious worship, et cetera, shall be taken and construed to include, and is by this act declared and explained to include within its provisions, the ground or lot upon which the parsonage or house, owned or belonging to any religious society or congregation, may be erected and used exclusively for the use and occupancy of the minister or pastor of such religious society or congregation, whether annexed to the ground upon which the church or meeting house of such congregation may be or not; and that all taxes heretofore assessed on any such property shall not hereafter be collected, but the respective officers charged with the collection thereof, shall and are hereby exonerated from the collection and the return of the sum: *Provided*, That no more than five acres of land, with the improvements thereon, shall be exempted from taxation as aforesaid: *And provided further*, That nothing herein contained shall be so construed as to exempt from taxation any property yielding revenue: *And provided further*, That the provisions of this act shall only extend to the county of Lawrence.

E. PENN SMITH,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 510.

## A N A C T

To authorize the Appointment of a Notary Public in Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor be and he is hereby authorized and empowered to appoint two additional notaries public for this commonwealth, one for the district composed of the city of Erie and township of Mill Creek, in the county of Erie, and one for the borough of North-East, in said county; and so much of an act, entitled "An Act to enable the governor to appoint notaries public, and for other purposes therein named," approved the fourteenth day of April, one thousand eight hundred and forty, as renders, or may be construed to render justices of the peace ineligible to the office of notary public, shall not be construed to apply to the county of Erie; and the commission of any justice who may have heretofore been appointed a notary public, in said county, shall be good and valid in law, as though the above mentioned act had never been passed: Provided, They shall not have jurisdiction in cases arising on paper by them protested.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domin one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 511.

## A N A C T

To provide for the Erection of a Lock-up House in the borough of White Haven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the chief burgess, assistant burgess and town council of the borough of White Haven, in the county of*

Lock-up house  
authorized.

Luzerne, authorizing and empowering them to have built, or otherwise to provide and support, within the bounds of said borough, at the expense thereof, a suitable building for the security and temporary detention and confinement of any person or persons committed by any justice of the peace or any constable, or the chief burgess, of said borough, for any violation of the laws of this commonwealth or of the ordinances of the borough aforesaid, there to remain and be kept until such offender or offenders can be removed to the common jail of said county, if committed for any indictable offence, or until discharged according to law: *Provided*, That no person or persons shall be confined in said lock-up house, at any one time, for a longer period than twenty-four hours, except such person or persons be charged with an indictable offence, or until discharged by law or removed to the common jail of the county aforesaid by the proper officer. Purposes of.

SECTION 2. That the expense of arresting, binding over or committing and keeping any such person or persons in said lock-up house, or conveying him, her or them, on any indictable offence, to the common jail of Luzerne county, shall be paid by the commissioners of said county, on the presentation of the proper accounts to the said commissioners; but if, upon a hearing before any justice of the peace of said borough, such person or persons shall be discharged for want of sufficient cause to bind him, her or them over for trial, at the next criminal court of said county, the said justice of the peace shall have power to require such person or persons to pay all the costs that may have accrued in the case, if to him it shall appear just and proper, under all the circumstances, he should so pay it, and to enforce the collection of the same, by judgment and execution, in the ordinary way of collecting debts of like amount: *Provided however*, That if such offender or offenders are unable to pay the costs, or should not be ordered to pay them by the justice of the peace, as above authorized, the same shall be paid by the treasurer of the borough of White Haven. Expenses of arresting, &c., how paid.

SECTION 3. That the high constable and other constables of the said borough of White Haven shall keep the said lock-up house under their special care; and if any person or persons shall wilfully or maliciously destroy or attempt to destroy the said lock-up house, he, she or they, upon conviction thereof by the court of quarter sessions of said Luzerne county, be sentenced to undergo an imprisonment, in the county prison, for any period not exceeding one year, at the discretion of the court. Costs in case of discharge.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one. Duty of constables.

A. G. CURTIN. Penalty for damages to lock-up.

No. 512.

## A SUPPLEMENT

To an act relating to the Lien of Mechanics, and others, upon Buildings, approved the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, so far as relates to certain counties.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said act, entitled "An Act relating to the lien of mechanics, and others, upon buildings," approved the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, together with the several supplements thereto, shall hereafter be held and taken to apply to debts contracted for work done or materials furnished for or about the repair, alteration of or addition to any house or other building, so that liens may hereafter be had for the payment of all debts contracted for work done or materials furnished for, or about the repair, alteration of or addition to any house or other building, in the same manner as liens may now be had for debts contracted for work done or materials found for or about the erection or construction of any house or other building under the aforesaid act, approved June sixteenth, Anno Domini one thousand eight hundred and thirty-six, and the several supplements to said act: Provided nevertheless, That this act shall not apply to debts, such as aforesaid, where the same are of less amount than twenty dollars: And provided also, That this act shall apply only to Chester, Delaware and Berks counties.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 513.

## AN ACT

For the Protection of Deer in the counties of Cumberland, Franklin and Adams.

**WHEREAS**, By the passage of an act of March twenty-fourth, one thousand eight hundred and fifty-one, and of April tenth,

one thousand eight hundred and fifty-one, the hunting and killing of deer was prohibited in the counties of Cumberland, Franklin and Adams, for the period of five years, from August first, one thousand eight hundred and fifty-one :

*And whereas*, By the passage of the act of one thousand eight hundred and fifty-one, that of one thousand seven hundred and sixty, protecting deer from January first to August first, was repealed ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That on and after the first day of May next it shall not be lawful for any person or persons to hunt, chase or follow with the design to kill, or shall kill or destroy any buck, doe or fawn, except from the first day of August to the first day of January in each year ; and any person or persons within the limits of the counties of Cumberland, Franklin and Adams, who shall violate the provisions of this act, and upon conviction thereof, by one or more creditable witness, or upon their own confession, before any justice of the peace in and for the county in which the same may have been committed, forfeit and pay the sum of twenty-five dollars for every such offence and conviction, one-half of which shall be paid to the treasurer of the school fund for common school purposes of the township wherein such conviction shall be had, and the other half to the person or persons who shall sue and prosecute for the same ; and the collector of school tax in the township in which any person or persons so offending, shall be convicted, shall proceed in the same manner and shall have like force and authority to collect such fines as the collectors of county rates and levies have under the laws now existing, or that may hereafter be enacted, relative to the collection of county rates and levies within this commonwealth : Provided however, That no person shall be prosecuted or convicted for any offence against this act, unless such prosecution shall be commenced within six months after the offence shall have been committed.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 514.

## AN ACT

To establish a Ferry over the Allegheny river, in the county of Warren.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the owners and lessees of Tidioute island, Warren county, Pennsylvania, shall have the right and privilege to erect a ferry from said island to the Deerfield or Limestone shore opposite, as the parties hereby authorized to erect a ferry may decide upon: Provided, Said ferry shall be so constructed as not to interfere with the navigation of said river.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 515.

## A SUPPLEMENT

To the act incorporating the Union Hall Association of the Falls of Schuylkill, approved the second day of April, Anno Domini one thousand eight hundred and sixty.

Votes, relative  
to.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, at the annual election for president, managers and treasurer of the Union hall association of the Falls of Schuylkill, each stockholder holding five shares or less, of the said stock, shall be entitled to one vote, and each stockholder holding more than five shares, shall be entitled to one vote for every five additional shares: Provided, That no stockholder shall be entitled to more than ten votes.*

SECTION 2. That so much of the act to which this is a supplement, as is inconsistent herewith, be and the same is hereby repealed. Repeal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 516.

## A N A C T

To protect the Wages of Labor in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all assignments of property, whether real or personal, which may hereafter be made by any person or persons, firm, company or association, whether chartered or not, to trustees or assignees, on account of inability or pretended inability at the time of such assignment, to pay his, her, their or its debts, the wages and salaries of persons employed by such person or persons, firm, company or association, shall be preferred and paid by such assignees or trustees before any other creditors of such assignor or assignors. In all cases of assignment the wages and salaries of employees to be preferred.

SECTION 2. That in case of the death of any person resident within this commonwealth, the wages or salaries of any person employed by him shall be first paid, out of his estate, before any other debts, except necessary funeral expenses and medicine, and attendance furnished in the last sickness. And in case of the dissolution of any firm, company or association as aforesaid, or of the private sale or transfer, or determination whatsoever of the business of such firm, company or association, the wages and salaries of persons employed by them shall be a lien upon their property, and shall be first paid out of the estate, effects and assets of such firm or company. Wages, &c., to have preference in cases of death, or dissolution of firms.

SECTION 3. That in all cases of executions, landlords' warrants, attachments, *venditioni exponas*, *levari facias*, and writs of a like nature, hereafter to be issued for the sale of real or personal property against any person or persons, firm, company or association as aforesaid, it shall be the duty of the sheriff, or other officer, executing such writ, to give to the persons employed by the defendant in said writ notice of the issuing thereof, by Sheriff in cases of executions, &c., to give notice to persons employed by defendant.

Further duties of sheriff. twenty printed handbills, put up in public places in the neighborhood of the property to be sold, at least two weeks before the proposed sale, requiring them to make known to him, at least five days before the sale of said property, the kind and amount of their respective claims against such defendant; and when the claims shall have been so made known, it shall be the duty of the sheriff, or other officer, to pay out of the proceeds of the sale under the said writ, the amount due to each of the persons so employed.

Claims for wages or salaries to be collected in same manner as rent.

Proviso.

To be liens upon real estate.

Exception.

Proviso.

Proviso.

SECTION 4. That it shall and may be lawful for any person or persons to whom claims, on account of wages or salaries, may be due from any person, firm, company or association as aforesaid, when any such claim amounts to the sum of twenty-five dollars, to proceed to collect the same, by distraining therefor, in the same manner as is provided for the collection of rent under the first section of the act of twenty-first March, A. D. 1772, giving a remedy, by distress, for rent: *Provided*, That the property of the actual debtor shall alone be liable to such distress.

SECTION 5. That the claims for wages, or on account of salaries, mentioned in the foregoing sections, shall be a lien on the real estate of the person, firm, company or association, liable to pay the same prior and superior to all other liens upon said real estate, except the lien of judgments and mortgages given for the purchase money of the property on which they are liens, and the liens of mechanics and material-men filed under the act of 16th June, 1836, and its supplements, and except as may be in the foregoing sections excepted: *Provided*, That the persons who may be required to pay the claims intended to be preferred by the provisions of this act, shall, in every case, first exhaust the proceeds of the personalty, if there be such, before resorting to the realty; and that no one claim so preferred, or hereby made a lien, shall exceed the sum of one hundred dollars: *Provided*, That the provisions of this act shall extend to the county of Berks only.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 517.

## AN ACT

To provide for the Erection of a House for the Employment and Support of the Poor for the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel Bailey, William Kingley, E. P. Shaw, Sturgis Squires, Commissioners, E. H. Perkins, Charles Homet, Harry Morgan, C. F. Nichols, L. P. Stalford, William Corbin, Jerre Adams, Isaac Myer and George Dunham, be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of December, Anno Domini one thousand eight hundred and sixty-one, to determine upon and purchase such real estate as they shall deem necessary for the accommodation of the poor of Bradford county; and it shall be lawful for said commissioners, or a majority of them, to take conveyances therefor, in the name and for the use of the corporation mentioned in the third section of this act; and they shall certify their proceeding therein, under their hands and seals, to the clerk of the court of quarter sessions of Bradford county, to be filed in his office; and at the next general election the qualified electors shall elect three reputable citizens of the said county to be directors of the poor and of the house of employment for the county of Bradford for the ensuing year; and the judges of the election of said county shall, immediately on receiving the returns from the several election districts, and casting up the number of votes therein, or within three days thereafter, certify, under their hands and seals, the names of the persons so elected directors, to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice in writing to the said directors of their being elected, and the said directors shall meet at the court house in the said county on the first Monday of November next ensuing their election, and divide themselves by lot into three classes, the place of the first to be vacated at the expiration of the first year, of the second at the expiration of the second year, and the third at the expiration of the third year, so that those who shall be chosen after the first election, and in the mode above described, may serve for three years, and one-third may be chosen annually.

Their duties and powers.

Election of directors.

Meeting and classification of same.

SECTION 2. That every director elected in the manner aforesaid, or appointed as hereinafter directed, shall, within ten days after he is notified of said election or appointment, and before he enters on the duties of said office, take an oath or affirmation before any justice of the peace of said county, who is hereby authorized to administer the same, that he will discharge the duties of director of the poor for said county truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation

Oath to be taken.

Penalty for neglect of duty.

Powers of directors.

Treasurer.

Stewards.

Matrons, physicians, &c.

Apprentices.

Proviso.

Proviso.

Proviso.

Directors to furnish estimate of expenses.

within the time aforesaid, and perform the duties aforesaid, he shall forfeit and pay the sum of ten dollars for the use of the poor of said county, which fine shall be recovered by the directors, for the time being, as debts of same amount are or shall be by law recoverable; and the directors qualified as aforesaid are hereby authorized to administer oaths or affirmations in any case where it shall be necessary in relation to the duties of their said office.

SECTION 3. That the said directors and their successors shall forever hereafter, in the name and in fact, be one body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of the county of Bradford, and shall have perpetual succession, and may sue and be sued, plead and be impleaded, by the name, style and title of the directors of the poor and of the house of employment for the county of Bradford, and by that name shall and may receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of ten thousand dollars, and any goods and chattels whatsoever of the gift, alienation or bequest of any person or persons whatsoever; to purchase, take and hold any lands and tenements within their county, in fee simple or otherwise, and erect thereon suitable buildings for the reception, use and accommodation of the poor of said county; to provide all things necessary for the reception, lodging, maintenance and employment of said poor; to appoint a treasurer annually, who shall give bond, with sufficient surety, for the faithful discharge of the duties of his office, and at the expiration thereof that he will well and truly pay, and deliver over to his successor in office, all moneys, bonds, notes, books, accounts and other papers, to the said corporation belonging, which shall then be remaining in his hands, custody and possession; and the said directors shall employ, and at pleasure remove, a steward or stewards, and require of him or them an oath or affirmation, and such security for the faithful performance of his or their duties, as the board of directors shall deem expedient, and to appoint a matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectively, and at pleasure remove; and to bind out, as apprentices, so that such apprenticeship may expire, if males, at or before the age of twenty-one years, and if females, at or before the age of eighteen years: *Provided*, That no child shall be bound out for a longer time than until he arrives at the age of eighteen years, unless he be bound out to a trade other than a farmer: *And provided*, That in all cases the person to whom they are bound be required to give the child at least three months schooling in each year: *Provided also*, That no child shall be bound without the limits of the state, or at a greater distance than fifty miles from the poor house; and the said directors shall exercise and enjoy all such other powers now vested in the overseers of the poor, as are not herein granted or supplied; and the said directors are hereby empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter and renew.

SECTION 4. That the said directors shall, on or before the first day of December, one thousand eight hundred and sixty-one,

urnish to the county commissioners an estimate of the probable expense of purchasing the lands, erecting the buildings and furnishing the same, and maintaining the poor for one year; whereupon said commissioners shall and they are hereby authorized to increase the county tax by one-fourth of the sum necessary for the purpose aforesaid, and shall procure, on loan or credit of the taxes herein directed to be levied, the remaining three-fourths thereof, to be paid in instalments, with interest, out of the county taxes: *Provided always*, That if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or such part thereof as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.

Increase of county tax.

Loan authorized.

Proviso.

SECTION 5. That it shall be the duty of the said directors, on or before the first day of November in each and every year, to furnish the commissioners of said county with an estimate of the probable expense of the poor and poor house, for one year; and it shall be the duty of said commissioners to assess and cause to be collected the amount of said estimate, which shall be paid to said directors by the county treasurer, on warrants drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall at least once in every year render an account of all moneys by them received and expended, to the auditors appointed to audit and settle the county accounts, subject to the same penalties, rules and regulations as are by law directed respecting the accounts of the county commissioners; and shall at least once in every year lay before the court of quarter sessions and grand jury of said county, a list of the number, ages and sexes of the persons maintained and employed in the said house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to, or apprenticed as aforesaid, with names of their masters or mistresses, and their trade, occupation or calling, and shall at all times, when thereunto required, submit to the inspection and free examination of such visitors as shall from time to time be appointed by the court of quarter sessions of the said county, all their books and accounts, together with rents, interests and moneys payable and receivable by said corporation, and also an account of all sales, purchases, donations, devises and bequests as shall have been made by them or to them.

Duties of directors.

SECTION 6. That as soon as the said buildings shall be erected and all necessary accommodations provided therein, notices shall be sent signed by any two of the said directors, to the overseers of the poor of the several townships and boroughs of said county of Bradford, requiring them forthwith to bring the poor of their respective townships and boroughs to the said house of employment; which order the said overseers are hereby enjoined and required to comply with, or otherwise to forfeit the costs of all future maintenance, except in cases where sickness or any other sufficient cause any poor person cannot be removed, in which case the said overseers shall represent the same to the nearest justice of the peace, who being satisfied of truth thereof,

Notices to be sent to overseers of poor when buildings are completed.

Duty of overseers

Proceedings in cases where the poor cannot be removed.

shall certify the same to the said directors, and the same time issue an order under his hand and seal, to the said overseers, directing them to maintain such poor until such time as he or she may be in a situation to be removed, and then convey the said pauper and deliver him or her to the steward or keeper of the said house of employment, together with the said order; and the charge and expense of such temporary relief and of such removal, shall be paid by said directors, at a reasonable allowance.

Directors to receive poor persons upon order or warrant.

SECTION 7. That the said directors shall, from time to time, receive, provide for and employ, according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or as shall have gained a legal settlement in the said county of Bradford, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said county of Bradford, or to the overseers of the proper township in any other county of this commonwealth; and the said directors are hereby authorized, when they shall deem it proper and convenient to do so, to permit any poor person or persons to be maintained elsewhere: *Provided*, That the expense of their maintenance does not in any case exceed that for which they could be maintained at the poor house of the said county of Bradford.

Proviso.

Authorized to make rules, &c.

SECTION 8. That the said directors or any two of them, who shall be a quorum in all cases to do business, shall have full power to make and ordain all such ordinances, rules and regulations as they shall think proper, convenient and necessary for the direction, government and support of the poor and house of employment aforesaid, and of the revenues thereto belonging, and of all such persons as shall come under their cognizance: *Provided*, That the same be not repugnant to this law or any of the other laws of this state or of the United States: *And provided also*, That the same shall not have any force or effect until they shall have been submitted to the court of common pleas, for the time being, of the county of Bradford, and shall have received the approbation of the same.

Proviso.

Proviso.

Directors to meet monthly.

SECTION 9. That a quorum of said directors shall and they are hereby enjoined and required to meet at the said house of employment at least once in every month, and visit the apartments and see that the poor are comfortably supported, and hear all complaints and redress or cause to be redressed all grievances that may happen by neglect or misconduct of any person or persons in their employment or otherwise.

Compensation of directors.

SECTION 10. That the said directors shall each of them receive for their services annually the sum of forty dollars, to defray the expenses of their necessary attendance on the duties of their office.

Vacancies.

SECTION 11. That in case any vacancy or vacancies should happen by death, resignation, removal out of the county or otherwise, the remaining directors or director, together with the court of quarter sessions of the said county, shall appoint a suitable citizen or citizens to fill such vacancy or vacancies until the next general election, when a director or directors shall be elected for the unexpired term of said vacancy or vacancies.

SECTION 12. That the commissioners of the said county of Bradford are hereby directed to pay to each of the commissioners named in the first section of this act, the sum of one dollar per day for each and every day he shall necessarily spend in performing the duties prescribed by the first section of this act; and also, to pay each of the directors a reasonable compensation for their services during the term they are employed in erecting any building or buildings aforesaid: *Provided*, That the same shall not, including the annual sum allowed them by this act, exceed fifty dollars for any one year.

*Pay of commissioners appointed under this act.*  
*Additional pay to directors.*  
*Proviso.*

SECTION 13. That all claims and demands in relation to the poor in the aforesaid county existing at the time of this act being carried into effect, shall have full force and effect as if this act had not been passed; and when the same shall have been duly adjusted and settled, all moneys remaining in the hands of the overseers, as well as the uncollected taxes levied for the support of the poor in the said townships and boroughs in the said county of Bradford, shall be paid over to the commissioners of the highways of the respective townships and boroughs, to be by them applied towards repairing the roads therein.

*Claims existing at the time this act carried into effect to have full force.*  
*Overseers to pay over balances, &c., to commissioners of highways.*

SECTION 14. That so much of the laws of this commonwealth relating to the poor, as are by this act altered or supplied, be and the same are hereby repealed, so far as they affect the county of Bradford.

*Repeal.*

SECTION 15. That the sheriff of said county shall in due time notify the said commissioners of their appointment, and when and where they shall meet for entering upon the duties assigned them by this act, which place of meeting shall be as near the centre of the county as possible.

*Sheriff to notify commissioners of appointment and meeting.*

SECTION 16. That for the purpose of ascertaining the sense of the citizens of Bradford county as to the expediency of erecting a house for the employment and support of the poor, it shall be the duty of each of the inspectors for the several townships and boroughs, at the next general election, to receive tickets, either written or printed, from the qualified voters thereof, labelled on the outside "poor house," and on the inside "for a poor house" or "against a poor house;" and if it shall appear, on casting up the votes of the different districts at the court house on the same day that the other returns are made out, that a majority of those who voted are for a poor house, then the foregoing act is to take effect; but if a majority of the votes are found to be against a poor house, the foregoing act to be and the same is hereby null and void.

*Vote to be taken upon the question of erecting poor house.*

SECTION 17. That the sheriff of Bradford county shall cause this act to be published in two weekly newspapers in said county, at least six weeks previous to the next general election, the expenses of which to be paid out of the county treasury.

*Sheriff to publish this act in newspapers.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 518.

## AN ACT

Relative to the office of Coroner of Northampton county.

Repeal of a certain section relative to coroners.

Coroner of Northampton county may appoint deputies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fifteenth section of an act relating to the election of county treasurers, and for other purposes, approved twenty-seventh May, Anno Domini one thousand eight hundred and forty-one, relating to coroners, be and the same is hereby repealed so far as the same relates to the county of Northampton.*

SECTION 2. That it shall be lawful for the coroner of Northampton county hereafter to appoint deputies in such sections of Northampton county as he may deem necessary.

E. PENN SMITH,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 519.

## AN ACT

Supplementary to an act to incorporate the borough of New Columbus, in the county of Luzerne, approved the eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this supplement, the boundaries of the borough of New Columbus, in the county of Luzerne, be and they are hereby altered as follows, to wit: Beginning at a stone corner at the south-west corner of said borough, on the county line between Luzerne and Columbia counties, being a corner dividing lot number one on the south from lot number nineteen on the north; thence southerly along the said line dividing Luzerne from Columbia county sixty-five perches to a*

stone corner in the centre of a road leading from the Susquehanna and Tioga turnpike to Town hill; thence along the centre of said road easterly to a stone corner on the division line between lots number nineteen and twenty on the west and lots number eight and nine on the east; thence along said division line north twenty-one and a-half degrees west to the centre of a road leading from Courtright's mills to the said road leading from the turnpike to Town hill; thence northerly along the centre of said road to a corner on the south-eastern boundary line of Levi Courtright's mill lot; thence along the eastern boundary of said mill lot to a corner on a line running east and west dividing lot number eight on the south from lot number seven on the north; thence easterly along said division line to a corner on the western boundary line of lot number fifty-two; thence northerly along the western boundary lines of lots number fifty-two, number six, number fourteen, number fifteen and number sixteen to a north-east corner of lot number thirteen and south-east corner of lot forty-nine; thence westerly along said division line between lot number thirteen on the south and lots number forty-nine and number forty-eight on the north to the south-west corner of said lot number forty-eight, being on the eastern boundary line of lot number thirty; thence northerly along the line dividing lot number thirty on the west from lot number forty-eight on the east to the north-east corner of William Wilson's lot and the south-east corner of John Wilson's lot; thence westerly along the line dividing the said William Wilson's lot on the south from the said John Wilson's lot on the north to a corner on the division line between lots twenty-nine and thirty-one on the west and lot number thirty on the east; thence northerly along said division line to the original north-east corner of the said borough of New Columbus as established by the act incorporating the same; thence along the original boundary line, as specified in said act of incorporation, to the place of beginning; and the lands and improvements included in the above mentioned limits, is hereby made part and parcel of the said borough as fully as if it had been included in the act incorporating the same; and all territory originally embraced within the boundaries of said borough, not included within the boundaries as described by this supplement, shall be and the same are hereby re-annexed to the township to which they originally belong, and shall hereafter comprise a part of the territory of said township as fully and effectually as if the same had never been included within the limits of the said borough of New Columbus.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 520.

## SUPPLEMENT

To an act, entitled "An Act incorporating the Freedom and Sarah Furnace Plank Road Company; relating to the Mountain Female Seminary, in Huntingdon," approved April fifteenth, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Professor Samuel G. Grier, and his successors, shall have power to grant diplomas to the graduating class of said seminary.

E. PENN SMITH,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 521.

## AN ACT

In relation to the Rates and Levies of Taxes in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the sixth section of the act of March eleventh, Anno Domini one thousand eight hundred and forty-five, which requires the commissioners of Washington county to hold appeals, at their office, on the first Monday of every month, be and the same is hereby repealed; and they are hereby required to hold appeals in said county according to laws existing immediately before the passage of the act now repealed: *Provided, That* said appeals shall hereafter be held only for the year succeeding each tri-ennial assessment.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 522.

## A N A C T

To Prevent the Destruction of Fish in Indian creek, in the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any person or persons to kill any fish in said creek by means of any poisonous substance or by sledging. Any person or persons offending against the provisions of this act, shall pay a penalty of five dollars, to be recovered as debts of like amount are now by law recoverable; one-half to go to the informer, who is hereby made a competent witness, and the other half to the use of the common schools of the township wherein the offence is committed.

E. PENN SMITH,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 523.

## A S U P P L E M E N T

To an act approved April eighteenth, Anno Domini one thousand eight hundred and fifty-seven, entitled "An Act relating to Fees of Aldermen, Justices of the Peace and Constables."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the fees to be received by the justices of the peace in the borough of West Chester, for all services rendered in any vagrant case, including warrant of arrest, hearing, docket entry and commitment, shall be the sum of fifteen cents. Fees of justices in vagrant cases in West Chester.

SECTION 2. That all fees to be received by the constables of said borough, for arresting vagrants and bringing them before a justice, and conveying them to the jail of Chester county, on mittimus or warrant, shall be, for each vagrant, twenty cents: Fees of constables.

Proviso.

*Provided*, That no such constable shall be entitled to any fees from the county of Chester, for such services, or any of them, unless the vagrant is arrested by virtue of a warrant issued by a justice, founded on a complaint, on oath or affirmation, of a citizen of said borough, other than the constables or either of them.

E. PENN SMITH,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 524.

## SUPPLEMENT

To the Charter of the Bethlehem Rolling Mills and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the thirteenth section of the act incorporating the Bethlehem rolling mills and iron company, approved the eighth day of April, one thousand eight hundred and fifty-seven, under the then name of the Saucon iron company, is hereby amended by striking out the whole of the said section, and inserting the seventh section of an act incorporating the Eastern iron company, passed the eighth day of April, one thousand eight hundred and fifty-nine, the said liabilities to be enforced as is provided by the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three:

Act of incorporation amended.

Proviso.

Change of name.

SECTION 2. That the said Bethlehem rolling mills and iron company shall hereafter be known by the name of the Bethlehem iron company.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 525.

## A FURTHER SUPPLEMENT

To the act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section fifteen of an act of assembly, entitled "An Act relating to certain state roads, and other purposes," approved May third, one thousand eight hundred and thirty-two, and sections four to six, inclusive, with ten, twelve and thirteen of an act, entitled "An Act relative to certain streets in the district of Moyamensing, Kensington, Penn.," &c., &c., approved March twenty-nine, one thousand eight hundred and fifty, section six and seven of an act, entitled "An Act to revise the levels and grades of streets in Southwark and Moyamensing," &c., &c., approved May fifteenth, one thousand eight hundred and fifty, and section twenty-eight of an act, entitled "An Act to incorporate the Butler coal company, &c., &c., and relative to the survey of Passyunk township," approved April eighteenth, one thousand eight hundred and fifty-three, be and the same are hereby repealed, and the duties of commissioners and surveyors therein noted shall forthwith cease and determine; and henceforth the surveys therein specified and provided for, shall be prosecuted only by the direction of the select and common councils of the city of Philadelphia, and under the supervision and direction of the department of surveys of said city.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 526.

## A N A C T

To authorize the Erection of a Poor House by the borough of Hazleton, township of Hazle and township of Foster, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

for the well-being of said company and the due management and well ordering of its affairs.

Board of directors, their duties

SECTION 2. That the power of this association shall be vested in a board of directors consisting of nine; the first nine persons named in this act shall constitute the first board of directors, with power to organize the corporation, to pass all by-laws, rules and regulations necessary for the good government of the affairs of the company, subject to amendment at the regular meetings of the members of the company, to transact the business of said company with all the power of the company, and to hold their power and authority until their places are supplied by the elections to be made, as their terms respectively expire, as is herein provided; said board is to be divided into three classes, as follows: The first three persons named in this act, shall constitute the first of said classes; the second three shall constitute the second class, and the third three the third class; the seats of the first class shall be vacated at the expiration of one year after the first annual meeting of the members of the company, those of the second class, at the expiration of the second year, and those of the third class at the expiration of the third year, so that after the first annual meeting of the members of the company, one class shall be chosen every year; and if vacancies occur in the board, either by death, resignation, non-attendance, or otherwise, the board may supply such vacancy by appointment, until the next annual meeting, when the members of the company shall fill such vacancy for the unexpired term.

Classification.

Vacancies.

Membership.

SECTION 3. That all persons who shall insure in said company, and also their heirs, executors, administrators and assigns, continuing to be insured in said company, in accordance with the provisions of the by-laws thereof, shall thereby become members during the period they shall remain so insured, and no longer.

Meetings.

SECTION 4. That general meetings of the members of this company shall be held annually, at such time in the month of November as shall be determined in the by-laws thereof, and at such place in the city of Lancaster as shall be designated by a majority of the directors present at any regular meeting of the board, and also whenever called by the board of directors, or whenever requested by twenty members; the election of new members of the board, to fill the seats of each class, respectively, as their terms expire, shall take place at said annual meeting, to be held in the month of November of each year, public notice of such election having been duly given; the elections, at such annual meetings, shall be by ballot; each member being insured in said company to the amount of five hundred dollars, or less, shall be entitled to one vote, those insured to the amount of one thousand dollars, to two votes, and to one additional vote for every thousand dollars insured above the first thousand; but no amount insured shall entitle any member to more than ten votes; said elections to be conducted by three judges, not being directors, chosen for that purpose, who shall certify, under their hands, the result of said election, and the same shall be filed with the papers of the company; the board of directors, for the time being, shall choose, from among their

Elections.

Votes.

Judges of elections.

own members, one to be president, and shall, from time to time, Officers and  
as it may be necessary, choose a treasurer, also a secretary, and agents.  
such other agents and officers as may be deemed necessary, and  
fix their respective fees and salaries, and require such bonds  
for the faithful discharge of the duties assigned, as may be  
thought advisable, or as the interests of the company may re-  
quire; and shall have full power to suspend, remove or displace  
any such officer or agent of the company; and shall procure a  
book or books, wherein shall be fairly and legibly entered all  
the transactions of said board of directors, which books shall,  
at all times, be open for the inspection of the members of said  
company; five members of the board of directors shall consti-  
tute a quorum for the transaction of business; three members, Quorum.  
however, of the board may, at the times appointed for stated  
meetings of the board, fill vacancies therein, by appointment, in  
accordance with the by-laws of the company; the president and  
secretary shall, in conjunction with the treasurer, at the annual  
meetings of the members, present to the company a general and  
detailed statement of its affairs. Statement of  
affairs.

SECTION 5. That if it shall happen, at any time, that an elec- Failure to hold  
tion of directors shall not be made by such annual meeting of election at an-  
the members of the company, on any day pursuant to this act nual meeting not  
and the by-laws of said company, when it ought to have been to dissolve cor-  
made, the corporation shall not, for that cause, be dissolved; poration.  
but it shall be lawful, on any day, due notice having been given,  
to hold and have an election of directors, in such manner as may  
be regulated by the by-laws and ordinances of said company;  
those directors whose term of office may have expired, without  
an election to supply their places, may continue to discharge  
the duties thereof until successors shall have been duly elected.

SECTION 6. That the business of this company shall be trans- Mode of trans-  
acted on the mutual principle and for the mutual security of acting business.  
the members; each member or insured party shall be liable to an  
assessment of his just share of any loss or losses arising from  
the destruction by fire of any property insured. All property  
insured by this company shall have the amount insured thereon  
equalized or adjusted, in accordance with the ratio of insurance  
adopted in the by-laws, by being multiplied with such figures or  
numbers as will combine the amount insured with the ratio of  
insurance; in the case of the least exposed or safest kind of  
real estate, the multiplier shall be one, and in the case of all  
more dangerous property than such safest kind, real and per-  
sonal, the amount insured shall be multiplied by such numbers  
and decimals of numbers, as compared or proportioned with one  
for the safest property, as the basis, will express the different  
degrees of danger, thus making such addition to the insured  
amount of all property, which is more dangerous than the safest  
kind, as will equalize or put on the same footing all the mem-  
bers of the company, so that a uniform per centage will apply  
with justice to all in any one assessment; the share of any loss  
or losses, and expenses to be assessed against each member, shall  
be estimated, from this equalized or adjusted amount, according  
to the per centage required to meet the loss or losses; collec-  
tions of assessments to raise the funds for meeting the losses or  
damage, which may be incurred by this company, may be made



at stated times or whenever deemed necessary, on such equalized or adjusted amount of each insurance; such per centage, as may be determined by the by-laws, shall be paid by the party insuring before he or she receives his or her policy, for the purpose of forming a reserve fund for meeting current losses and expenses in advance of the assessments therefor; the board of directors having apportioned the losses and expenses among the members as above provided, the members shall pay the same to the treasurer of the company, or to such persons as may be duly authorized by him, within thirty days after publication of notice thereof; and in case of neglect or refusal of any member to pay the same as assessed upon him or her as his or her portion of the losses and expenses of the company, his or her policy may be declared void, and the company may sue for and recover said portion assessed, with costs of suit; but no assessment for loss, occasioned by any one fire, shall exceed three and a-half per centum on the equalized or adjusted amount of each insurance; no money shall be drawn from the funds of said company for the purpose of making dividends or dividing profits.

Classification of property, ratio of insurance, &c.

Upon what insurances may be made.

Exceptions.

Limitations.

Contracts and policies to be signed.  
Proviso.

Board of directors may borrow money.

Empowered to loan money.

SECTION 7. That the board of directors shall, in concurrence with the by-laws, classify the different kinds of property, real and personal, contemplated to be insured, determine the ratio of insurance between the different classes of property and the sum to be insured in any case; they shall have full power, on behalf of said company, to make insurances against loss by fire on any building or buildings, and on agricultural products, and generally on all kinds of merchandise, goods and effects within the limits of Lancaster county, except books of accounts, bills, bonds, ready money, jewelry, plate, paintings, engravings, powder and powder mills, distilleries, and cotton and woollen manufactories; but this company shall have no power to insure a larger amount of property, in any one square in any city, borough or town, than to the amount of one hundred and twenty thousand dollars in any one square or block comprised between four streets, nor more than to the amount of thirty thousand dollars, in the aggregate, on property on any one side of a square; and no one risk, nor several combined in one building, shall exceed five thousand dollars; nor shall any property, real or personal, be insured by this company for more than two-thirds of its value, as estimated by the board of directors or their agent or agents; every contract of insurance or policy to be made by the said company, shall be signed by the president, and attested and signed by the secretary: *Provided however*, That the board of directors may authorize a president of the board *pro tempore*, and also a secretary *pro tempore*, to sign policies in case of sickness or other inability to sign them by the regular incumbents.

SECTION 8. That the board of directors of this company, if necessity shall require, shall have power at any time to borrow any sum of money not exceeding ten thousand dollars in the aggregate, including all former sums borrowed and remaining unpaid, to be appropriated to and expended in the payment for loss or damage sustained by fire by the company; and it shall be lawful for said company to loan such portion of their money on hand as may not soon be wanted for the purposes of said company, to be secured by mortgage or judgment creating a

lien for the same, upon real estate of sufficient value beyond all incumbrances, to render the same perfectly secure.

SECTION 9. That in case any insured party named in any policy or contract of insurance made by the said company, shall sell, convey, assign, pledge or encumber the property insured, it shall be lawful for such insured person, he having first paid to the treasurer all previous assessments, to assign and deliver to the purchaser, assignee, or person holding such incumbrance, such policy or contract of insurance; and such assignee of the policy shall have all the benefits thereof, subject to the payment of all future assessments made thereon, and may bring and maintain a suit in his or her own name: *Provided*, That said transfer be approved by the president and secretary, in accordance with the regulations which may be adopted in the by-laws.

Policies may be transferred, upon certain conditions, to purchasers of property insured.

*Provided.*

SECTION 10. That no policy shall be issued by this company until application shall have been made for insurance of real estate to the amount of one hundred and fifty thousand dollars; and no policy shall be issued on any application without an authorized estimate of its value.

When policies to be issued.

SECTION 11. That suits at law may be prosecuted and maintained by any member, against the company, for losses or damage by fire, sustained by them, if payment to the amount to which such member is entitled by his policy, under this charter and the by-laws of the company, is withheld for more than ninety days after the company is duly notified of such losses: *Provided nevertheless*, That the board may, if they think proper, re-build or re-place the property destroyed or damaged; in which case a reasonable time shall be allowed to re-build or re-place the same. No member of the company, not being in his individual capacity a party to the suit, shall be incompetent as a witness, on account of being a member of the company.

When suits against company may be maintained.

*Provided.*

SECTION 12. That though the insurances of this company will be generally perpetual, with certain qualifications, yet the board of directors may also effect insurances limited to one or more years or fractions of a year. The company also reserves the right at any time, by a vote of three-fifths of the members of the board present at any meeting, of terminating and cancelling contracts of insurance or policies, whether perpetual or limited, which they may see cause at any time to disapprove of, by declaring such policies void; such declaration, however, shall only take effect after such reasonable notice shall have been served on the party whose insurance is thus cancelled, as may be determined by the by-laws.

Members of the company may be witnesses.

Insurances may be limited to one or more years, or fractions of a year.

*Reservation.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 529.

## AN ACT

To incorporate the Kersey Oil and Mineral Company.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles R. Early, Jacob M'Cauley, Lewis N. Zimmerman, William H. Meredith, John Hershey, Norman G. Bundy, Philip W. Hays and Peter Thomson, and such other persons as shall be associated with them, be and the same are hereby created into a body politic and corporate, by the name, style and title of the Kersey oil and mineral company, with a capital stock of two thousand dollars, with power to increase the same to ten thousand dollars, whenever a majority of the stockholders shall so determine, and which shall be divided into shares of fifty dollars each.
- SECTION 2.** That the affairs of the said company shall be managed by a board of seven directors, four of whom shall be the president, vice president, treasurer and secretary; the first election shall be held within one month after the passage of this act, of which election notice must be given to each stockholder two weeks prior to said election, in one paper published in Elk county, and the election of officers shall take place annually thereafter, of which election notice shall be given as aforesaid, and all elections shall be by ballot, and every person holding one share of stock shall be entitled to one vote.
- SECTION 3.** That this corporation shall have authority to hold and use a common seal, and the same to change, alter and amend at pleasure; and by the style and title aforesaid, shall be capable in law to sue and be sued, and the company may make all needful rules and regulations and by-laws for the well-ordering of the business and affairs of the corporation, and elect such officers and agents as may by them be deemed necessary: *Provided,* That no such by-laws or regulations shall in anywise conflict with or be contrary to the laws and constitution of this commonwealth or the laws and constitution of the United States.
- SECTION 4.** That the business of said corporation shall be confined to, and the capital thereof shall be employed in exploring, searching and boring for oil, minerals, et cetera, in the county of Elk, or any other county in the state of Pennsylvania, and when found, to manufacture or dispose of to the best advantage; also, to purchase or lease lands, implements, machinery, et cetera, and to erect buildings, and to do all such other business as may be deemed necessary by the said company.
- SECTION 5.** That dividends may be declared and paid quarterly, semi-annually or annually, as the directors may order; but such dividends shall, in no case, exceed the amount of actual profits acquired by the corporation.

SECTION 6. That the subscription to the stock may be made and paid in form and manner as directed by the by-laws. Subscriptions to stock.

SECTION 7. That all transfers of stock in said company shall be entered on the stock book thereof; and the said company shall keep an office for the transaction of their business at or near Kersey, in the county of Elk. Transfers. Office.

SECTION 8. That a majority of the votes cast at any legally convened meeting, shall be sufficient to make valid all proceedings of the company, except alterations of the constitution, which shall require a two-third vote. A majority of votes sufficient to make valid all proceedings except alterations of constitution.

SECTION 9. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such other tax as is now or may hereafter be imposed by law on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the privileges hereby granted shall not extend for a period longer than twenty years. Bonus. Taxes. Individual Liability. Limitation.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 530.

## SUPPLEMENT

To the act incorporating the borough of Dillsburg, in York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the town council of the borough of Dillsburg be and they are hereby authorized to open streets and alleys within the limits of said borough, subject to the provisions of a supplement to*

## LAWS OF PENNSYLVANIA,

the act regulating boroughs, approved April twenty-second, Anno Domini one thousand eight hundred and fifty-six.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 531.

## AN ACT

To change the place of holding the Elections in the township of Chillisquaque, in the county of Northumberland, and the time of holding the Election of Township Officers in Le Boeuff, in the county of Erie.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of the township of Chillisquaque, of the county of Northumberland, shall hereafter hold their general, special and township elections at the public house owned by James Reed, in the village of Pottsgrove, which is within the boundaries of said township.

Place of holding elections in Chillisquaque township.

Time of holding elections in Le Boeuff township changed.

**SECTION 2.** That the elections for township officers in the township of Le Boeuff, in the county of Erie, shall hereafter be held on the second Tuesday in February, annually; and so much of any law relating to said election as is inconsistent herewith is hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

We do certify, that the bill, No. 761, entitled "An Act to change the place of holding the elections in the township of Chillisquaque, in the county of Northumberland, and to change the time of electing township officers in Le Boeuff, in the county of Erie," was presented to the governor on the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has,

agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate..*

HARRISBURG, April 17, 1861.

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No. 532.

## A N A C T

Supplemental to an act to consolidate the city of Philadelphia, passed the second day of February, one thousand eight hundred and fifty-four, and to prevent Frauds at Elections.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified citizens of the several wards of the city of Philadelphia shall meet in their respective election districts in each and every year, at the same time and places, and under the same rules and regulations as are now prescribed for holding the elections of the judges and inspectors of elections, and shall elect two additional inspectors, to be styled and voted for as return inspectors. Return inspectors to be elected

SECTION 2. That each qualified citizen shall vote for but one person as return inspector of elections, and the two persons having the greatest number of votes for return inspectors shall be declared the return inspectors of elections for the ensuing year. How to be voted for.

SECTION 3. That it shall be the duty of the said return inspectors, once in each and every hour during the election, to count the tickets, and shall thereupon deposit the same in the ballot boxes provided for the said purpose; that they shall make publicly known the state of the vote at each and every hour, and in like manner, immediately after the closing of the polls, make publicly known the result of the said election or elections; that if any discrepancy shall occur between the tickets and the tally list, kept by the clerks of the elections, it shall be the duty of the return inspectors to make a record of the same at the time it shall be discovered, and for this purpose the return inspectors and return clerks shall have free access to the tally list kept, under the existing laws, by the inspectors and clerks of elections; the return inspectors, in each election district, shall set their hands and seals to the certificates of elections in like manner as the inspectors and judges of elections are now required to do by law. Duties.

Disagreement of  
inspectors.

SECTION 4. That the judges of the elections, in their respective election districts, are hereby required to decide between the return inspectors, whenever they shall disagree in the performance of their duties, and the return inspectors shall forthwith act under such decision.

When to meet.

SECTION 5. That the said return inspectors shall meet, at their respective places for holding the election, before nine o'clock in the forenoon of the day of the election in each and every year at which said inspectors may be elected to act, and each of said return inspectors shall appoint one return clerk, who shall be a qualified voter of such election district, and who shall continue to act as return clerk during the ensuing year.

Clerk.

Absence of in-  
spectors or  
clerks, relative  
to.

SECTION 6. That in case the person who shall have received the highest number of votes for return inspector, shall not attend on the day of any election, then the judge of such election division shall appoint a return inspector in his place; and in case the person who shall have received the second highest number of votes for return inspector shall not attend, then the person who shall have received the second highest number of votes for judge of the elections, at the last preceding election, shall appoint a return inspector in his place; and in case any return clerk, appointed as aforesaid, shall neglect to attend at any election during the said year, it shall be the duty of the return inspector who appointed such return clerk, or the person filling the place of such return inspector, to forthwith appoint a suitable person as return clerk, qualified as aforesaid, who shall perform the duties for the year.

Forms of oath to  
be taken.

SECTION 7. That the return inspectors and return clerks aforesaid shall, before entering upon the duties of their offices, severally take and subscribe the oath or affirmation herein directed, which shall be administered by any judge, alderman or justice of the peace; and that the following shall be the form of oath or affirmation to be taken by each return inspector, viz:

I, (A B,) do — that I will duly attend to the ensuing election, during the continuance thereof, as a return inspector; that I will count the tickets as provided by law, and publicly make known the state of the votes in each and every hour; and that I will, in all things, truly, impartially and faithfully perform my duty, to the best of my judgment and abilities; and that I am not, directly or indirectly, interested in any bet or wager on the result of this election.

That the following shall be the form of oath or affirmation to be taken by each return clerk, viz:

I, (A B,) do — that I will impartially, carefully and truly write down the number of votes which shall be given for each candidate, at the election, as often as his name shall be read to me by the return inspectors thereof; and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; and that I am not, directly or indirectly, interested in any bet or wager on the result of this election.

Oaths or affirma-  
tions to be signed  
and certified.

SECTION 8. That it shall be the duty of the said return clerk forthwith to make out two copies of the forms of each of the said oaths or affirmations, which shall be severally subscribed by each of the return inspectors and the return clerks, and the

said oaths or affirmations shall be certified, under the hands of the judge, alderman or justice of the peace by whom they shall be administered, and one of the said certificates of oath or affirmation, taken or subscribed by the return inspectors and return clerks, shall be deposited, with the other papers, in the ballot box, as now provided by law.

One certificate to be deposited in the ballot box.

SECTION 9. That all the existing laws of this commonwealth relative to elections in the city of Philadelphia, which now direct and govern the inspectors and clerks of elections, are hereby extended to the return inspectors and return clerks aforesaid; that the said return inspectors and return clerks shall receive the same compensation as now received by the inspectors and clerks of the elections under existing laws.

Existing laws extended.

SECTION 10. That immediately after the polls shall have been closed and the return made out, each ballot box shall be carefully bound by tape and sealed up, and the judge and return inspectors shall severally affix their signatures, with their appropriate seals, to the said ballot box, before it shall be delivered up as hereinafter provided.

Judge and return inspectors to deliver up boxes sealed, &c.

SECTION 11. That the commissioners for the city of Philadelphia shall provide a fire-proof room, or vault, in the public buildings of the said city, or some other suitable place, at which the judge of the elections, after the closing of the polls and the requirements of the law have been complied with, shall forthwith there deliver to the mayor and recorder of the city of Philadelphia the said ballot boxes; that the said room or vault shall not be accessible to any other person than the mayor and recorder aforesaid, who shall be present and receive, at the said room, or vault, the ballot boxes from the return inspectors as aforesaid; that the mayor and recorder aforesaid shall not take or open, nor permit to be taken or opened, any ballot box deposited as aforesaid, for the space of one year after the same has been therein deposited, except when they shall be called upon by some court or other tribunal authorized to try the merits of such election; and after such trial or investigation it shall be the duty of the mayor and recorder aforesaid to have said box or boxes returned and deposited as aforesaid.

Commissioners to provide room or vault for ballot boxes.

To be delivered to mayor and recorder and remain in their custody.

SECTION 12. That if any officer under this act, shall neglect or fail to perform the duties herein imposed upon them, then they, or either of them, shall, upon conviction, be sentenced to pay a fine of five hundred dollars, and undergo an imprisonment, by separate or solitary confinement, not exceeding three years, respectively, for every such offence.

Penalty for neglect of duty.

SECTION 13. That the appointments and election of return inspectors and return clerks to act at the election on the second Tuesday in October next, shall be made in the same manner as if such officers had been previously elected and appointed, and had declined or refused to serve.

Return inspectors and clerks for election in October next.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*  
ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 536.

## A N A C T

To provide for the Payment of Claims.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby appropriated for the payment of, and final settlement of the claims hereafter mentioned.

**Appropriation.** **John Gemmill.** **SECTION 2.** For the payment to John Gemmill, of Huntingdon county, the sum of three hundred dollars, the amount found to be due him, as reported by the auditor general, state treasurer and attorney general.

**Christ, Long & Co.** **SECTION 3.** For the payment of Christ, Long and Company, of Lancaster, the sum of one thousand one hundred and two dollars and seventy-eight cents, the amount found to be due them, as reported by the auditor general and state treasurer.

**Dr. W. Graydon.** **SECTION 4.** For the payment to Dr. W. Graydon, for blacksmithing on Eastern division of public works, in one thousand eight hundred and fifty-three, eight dollars and eighty-eight cents; and for the payment of Loreny, Stewart and Company, for spikes furnished on the Western division of public works, in one thousand eight hundred and fifty-six, eighteen dollars, the amount found to be due, as reported by the auditor general, state treasurer and attorney general.

**Bergans and Grim.** **SECTION 5.** For the payment to Bergans and Grim, of Huntingdon county, the sum of four hundred and sixty-nine dollars and thirty-two cents, the amount found to be due, as reported by the auditor general.

**Wm. Mitchell.** **SECTION 6.** For the payment of cost in case of the commonwealth against James J. Dull, the sum of forty dollars and seventy-five cents, to be paid to Wm. Mitchell, prothonotary of Dauphin county.

**Nicholas Heckman.** **SECTION 7.** For the payment to Nicholas Heckman, of Berks county, the sum of thirty-seven dollars and forty cents, the same having been certified by the auditor general to be due said Heckman.

**Generals Wm. H. Keim, Geo. Hay and W. Reifsnyder.** **SECTION 8.** For the payment to General Wm. H. Keim, seventy-eight dollars and twenty-eight cents; and to General George Hay, seventy-seven dollars and twenty cents; and to General W. Reifsnyder, twenty-two dollars and ninety-six cents; and to Colonel L. S. Cantwell, thirty-five dollars and twelve cents, for expenses and per diem, in attending courts martial at Wilkesbarre and Erie, the same to be paid out of any money in the treasury not otherwise appropriated.

**Charles Carter.** **SECTION 9.** For the payment of the claim of Charles Carter, the sum of one hundred and five dollars and fifty cents, in full for services as foreman on the Allegheny Portage railroad, as

found due by the commissioners to whom it was referred, to wit: the attorney general, auditor general and state treasurer.

SECTION 10. That the state treasurer is hereby authorized to pay to C. Mason, late superintendent of road to avoid the Schuylkill inclined plane, the sum of four hundred and five dollars and fifty cents, being the amount due him, as settled by the auditor general, and contained in his report, dated November thirtieth, one thousand eight hundred and sixty.

ELISHA W. DAVIS,  
*Speaker of House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 537.

AN ACT

Appointing Commissioners to repair and keep in order the East and West State Road of M'Kean county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Luther Davis, William Hoop, of M'Kean county, and J. R. Dodge, of Warren county, are hereby appointed commissioners for the purpose of improving and keeping in good repair that part of the East and West state road between Lafayette Corners, in Lafayette township, in M'Kean county, and the bridge crossing the Kinzua creek, in Warren county, subject to the liabilities of road commissioners for the faithful discharge of their duties.

SECTION 2. That the same proportion of the road tax of the township of Lafayette and Corydon, in the county of M'Kean, and Kinzua and Corydon, in the county of Warren, as is authorized to be paid in sections seven and eight of an act relating to the road laws of M'Kean county, passed the eighteenth day of April, A. D. 1853, shall be paid to the said commissioners, as therein directed, for the purpose aforesaid.

SECTION 3. That said commissioners shall annually settle their accounts with the county auditors of M'Kean county, and shall be allowed a reasonable compensation, not to exceed one dollar and fifty cents per day, for the time which they shall be engaged working on said road.

SECTION 4. That before the commissioners, appointed by the first section of this act, shall enter upon the duties of their

office, they shall give a bond for the faithful application of all moneys received by them, and for the faithful discharge of the duties of their office, which said bond shall be approved by a judge of the court of common pleas of M'Kean county.

Repeal.

SECTION 5. That so much of the act relating to the road laws of M'Kean county, passed the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three, included in sections six, seven, eight, nine and ten, be and the same is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 538.

### A N A C T

To Extend the Time for the Payment of the Enrolment Tax on certain acts

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for the payment of the enrolment tax on an act to incorporate the Harrisburg market company, approved March thirtieth, one thousand eight hundred and sixty, and an act to incorporate the Harrisburg Dimes savings institution of Harrisburg, approved April third, one thousand eight hundred and sixty-one, be and the same is hereby extended until the first day of April, one thousand eight hundred and sixty-two.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 599.

## A N A C T

Relative to the School District in the borough of Franklin, in Venango county.

WHEREAS, The school district of the borough of Franklin, in the county of Venango, and state of Pennsylvania, on the fourth day of February, one thousand eight hundred and sixty, did own in-lot number five hundred and fifty-seven, and the one-fourth of in-lot number five hundred and fifty-six, adjoining the first mentioned lot; and on the day and year aforesaid, entered into an agreement with certain persons, constituting the Farmers' and Mechanics' oil and mining company, to sell to said company said premises for nine hundred dollars, (being the same amount paid by said school district,) reserving to the said district the one-tenth of all the oil or other valuable mineral thereon obtained forever; the oil to be delivered on the premises free of expense to the said district:

Preamble.

And whereas, The said company have obtained oil, and the said district has been receiving its share according to the said agreement, but doubts have arisen as to the power of the school directors of said district to make a deed with the reservations contemplated in said contract; for remedy whereof,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Franklin, in the county of Venango, be and they are hereby authorized and empowered to convey the premises mentioned in the preamble to this act, to the persons constituting the Farmers' and Mechanics' oil and mining company, and to their heirs and assigns, upon receiving from them the purchase money and interest, reserving to the said school district the one-tenth of all the oil or other valuable mineral which may be obtained upon the said premises.

School directors authorised to convey certain property to oil company.

Conditions.

SECTION 2. That the school directors of said school district shall have power at any time, if the said company fail to deliver the said directors their share of oil on the days and times reserved in the deed for the delivery thereof, to issue a warrant or warrants, and distrain for their share of the oil, or its value, upon any property owned by the said company; and the said company shall not be allowed, as against such distress, the benefit of an act of assembly, exempting property to the value of three hundred dollars from levy and sale; and the said warrants shall be good, although all the persons composing said company may not be named therein, and such proceedings shall be had as are provided by law for the collection of rent, for the disposal of the goods so distrained; but individual property shall not be distressed.

Directors may distrain for their share of oil.

Company not to be entitled to exemption.

Nature of proceedings.

SECTION 3. That should the remedy provided in the second section of this act, ever fail to secure the said school district the

Upon failure of remedy provided in this act directors may institute suit.

Company not allowed to plead non-joinder.

Sale.

full enjoyment of all their rights, it shall be lawful for the school directors of said school district to institute suit against said company, and the said company shall not be allowed to plead in abatement the non-joinder of any of the persons constituting the said company; and upon a recovery of judgment against the said company, execution may be levied upon the premises hereby authorized to be conveyed, and the same sold in satisfaction of said execution, without stay and without inquisition.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 540.

## AN ACT

To confirm the title of George C. Barber, and those claiming under him, to certain lands.

WHEREAS, The title of certain lots of ground, in the county of Philadelphia, was vested in the West Philadelphia railroad company:

*And whereas,* The said lots were sold by the sheriff of Philadelphia county, under a judgment, obtained in the supreme court of Pennsylvania, against the said railroad company, and a deed therefor duly executed by the said sheriff to George C. Barber, the purchaser thereof, acknowledged on the twenty-first day of October, one thousand eight hundred and forty-three, in open *nisi prius*, before the judges of said supreme court at Philadelphia, and entered among the records of said court, in deed book J S C, page one hundred and seventy-six, et cetera:

*And whereas,* A doubt has been suggested as to the title, passed by the sheriff's sale of the premises, under the sale by virtue of the writ of *venditioni*, instead of being proceeded against by writ of sequestration; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met— and it is hereby enacted by the authority of the same,* That the title so, as aforesaid, made by the said sheriff of Philadelphia city and county, to the said George C. Barber, be and the same is hereby ratified, confirmed and established to him, his heirs and assigns, so far as the same may be defeasible or in any way affected by reason of the proceedings under which the said

sale was made; and that all persons claiming said premises, or any part thereof, under the said George C. Barber, be and the same is hereby confirmed.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 541.

## AN ACT

Changing the Place of Holding Elections in the township of Texas, in the county of Wayne.

WHEREAS, The township of Texas, in the county of Wayne, surrounds the borough of Honesdale, and the convenience of the people of said township will be promoted by holding their elections in said borough, but it is doubted whether the courts have authority to change the place of holding the elections, to a house not within the township; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general and township elections for the township of Texas, in the county of Wayne, shall hereafter be held at the court house in the borough of Honesdale.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 542.

## A N A C T

Relating to Streets in the village of Highspire, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the streets, lanes and alleys in the village of Highspire, and all extensions of said village, in the county of Dauphin, shall be public highways, and shall be kept in repair by the supervisors of the township in which said village is located, in the same way as other public roads in said township.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

. A. G. CURTIN.

No. 543.

## A N A C T

Appropriating part of Moneys arising from Fines and for Forfeitures in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That one-fourth of the fines and forfeitures, in the county of Schuylkill, which, by the first section of the act of assembly, entitled "An Act appropriating the moneys arising from fines and forfeitures, to county purposes," approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and eighteen, are directed to be paid to respective county treasurers, for the use of the counties respectively, shall, in the said county be appropriated, by the county commissioners, to the purchase of law books for the law library, in the court house at Pottsville; and the books so purchased shall be for the use of the

several courts and the commissioners of the county; the purchases of books to be made from time to time, under the direction of the judges of the said courts. This act shall continue in force for five years.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 544.

## AN ACT

To lay out a State Road in Columbia and Lycoming counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Benjamin Warner, Ezra Lyons, of Lycoming county, and James Masters, esquire, of Columbia county, be and are hereby appointed commissioners to view, and lay out and mark a state road leading from Sereno, in Pine township, Columbia county, to a state road leading from Muncy, in Lycoming county, to Laporte, in Sullivan county, to intersect said road at or near Thomas Opp's grist mill, in Moreland township, Lycoming county.* Commissioners. Route.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act, with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground, on the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ two chain carriers at a per diem allowance not exceeding one dollar and fifty cents each, and one axeman at a per diem allowance not exceeding one dollar and fifty cents; and the said commissioners respectively shall receive a per diem allowance not exceeding two dollars for each day necessarily employed in the discharge of their duties enjoined by this act, which shall be paid by the Duties of commissioners. Pay.



**Proviso.** treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, a proportion to the time employed in each county: *Provided*, That if Benjamin Warner perform the duties of surveyor he shall receive an additional compensation of one dollar per day.

**Drafts.** SECTION 3. That it shall be the duty of the commissioners to make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation, one copy to be deposited in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass, on or before the first of October next, and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty-three feet, and to be made and repaired as all other roads, laid out by the courts, are made and repaired.

**Vacancies.** SECTION 4. That the commissioners shall proceed, as soon as practicable, to complete the location of said road; and if any vacancy occur in their number, by death or resignation, or otherwise, the same shall be supplied by the remaining commissioners selecting suitable persons to constitute a board of at least three members.

**Duty of supervisors.** SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road may pass, upon notice given, to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 545.

## AN ACT

For laying out a State Road through parts of Carbon, Schuylkill and Luzerne counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

within two years after the issue thereof, be received, at their par value, by said company, its toll-gatherers and agents, from any legal holder thereof, in payment of tolls on said road, at their par value.

SECTION 6. The said directors shall cause to be kept in a book or books procured for that purpose, full and accurate accounts in detail, of all such interest checks or certificates issued, with the names of the parties to whom and the number of the stock certificate on which the same may be issued; and also, of all such as may have been received for tolls, showing the balance outstanding, which accounts shall be submitted to the annual meetings of the stockholders, and a copy thereof shall be kept either at the office of the company or at one of their toll houses, and shall at all times be open to the inspection of any stockholder.

Accounts of interest checks or certificates to be kept.

SECTION 7. The directors of the said company shall have power, if authorized by the stockholders at a meeting called for that purpose, to purchase or lease for a term of years, the road bed, bridges, toll houses, or other property, right, privilege or franchise of any other company, heretofore incorporated, for the purpose of constructing a plank or turnpike road, on or over any portion of the route designated in the first section of this act; and the directors or managers of any such other company, if authorized by a meeting of the stockholders thereof called for that purpose, shall have full power to enter into any contract with the said Pittsburg and Brownsville turnpike road company, in respect to any such sale or lease.

Directors may purchase or lease property and rights of other companies.

Empowered to make certain contract.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 567.

## A SUPPI

To the charter of incorporation of the

WHEREAS, On the twenty-sixth day of November, Anno Domini one thousand eight hundred and fifty-six, a charter of incorporation, under the great seal of the state, was granted to the Wetherell zinc company, to be located at Bethlehem, Northampton county, Pennsylvania, the charter being granted to the said company, for the purpose of manufacturing metal zinc under a new patent process, by which the said company erected buildings and expended about twenty-five thousand dollars, and

## LAWS OF PENNSYLVANIA,

from any cause, the governor of this commonwealth is hereby authorized to fill the same by suitable appointment.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 546.

## A SUPPLEMENT

To the act, entitled "An Act incorporating the Managers of the Poor for the township of Germantown," passed the — day of —, of changing the manner of Electing Managers of the Poor and Auditors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified voters residing within the bounds of the late township of Germantown, county of Philadelphia, shall elect, at the next election for city officers, nine citizens, three of whom shall be elected to serve one year, three for two years, three for three years, as managers of the poor for the late township of Germantown; they shall also elect nine citizens, three of whom shall be elected for one year, three for two years, three for three years, as auditors, at the next election held for city officers, and annually thereafter the qualified voters of the said township shall elect three citizens to serve as managers of the poor and three citizens to serve as auditors for three years.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 547.

## A N A C T

To authorize the Board of Managers of the Marietta and Maytown Turnpike Road Company to Borrow Money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of managers of the Marietta and Maytown turnpike road company, be and they are hereby authorized and empowered to borrow any sum or sums of money, not less than five hundred and not exceeding in the whole more than twenty-five hundred dollars, as they may deem necessary, at any rate of interest not exceeding legal interest, for the payment of the debts of said company; and it shall and may be lawful for the board of managers of said company to secure the money so borrowed by bond of said managers and mortgage upon said road, or otherwise, as said managers may direct.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 548.

## A N A C T

Relative to the Estate of Prudence Christy, deceased, late of Fayette county.

WHEREAS, Samuel Work, of Fayette county, by deed, conveyed a certain tract of land to Nancy Christy and Prudence Christy, illegitimate children of Nancy Christy:

*And whereas,* The said Prudence Christy died unmarried and without issue:

*And whereas,* By the laws of this commonwealth her estate would escheat to the commonwealth:

*And whereas,* Her said sister Nancy, intermarried with Robert Rankin, has since died leaving issue, therefore;

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the right, title and interest which this commonwealth may have acquired by reason of any escheat from the want of heirs or any known kindred of Prudence Christy aforesaid, deceased, in or to the real estate whereof she died seized or possessed, shall be and the same is hereby vested in the children of her deceased sister, Nancy Rankin, intermarried with Robert Rankin, to be held by them, their heirs and assigns forever, in fee simple: *Provided however,* That this act shall not release said estate from the payment of a collateral inheritance tax to the commonwealth.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 549.

## A N A C T

Relating to the Erie Canal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That every person who shall wilfully throw into the Erie canal any mineral, coal, iron ore, stone or other property shipped as freight, to be transported on said canal, or who shall sell any coal or other freight shipped for transportation thereon, not being the owner thereof, shall forfeit and pay for each offence any fine not exceeding the sum of fifty dollars, and in case of default in the immediate payment of such forfeiture after conviction, such person shall be sentenced to imprisonment, in the jail of the county where such offence may be committed, for a term not exceeding sixty days, at the discretion and upon the warrant of the court before whom such conviction shall be had.

Penalty for throwing coal, iron, &c., into the Erie canal, or selling freight not being the owner thereof.

SECTION 2. That for the speedy reparation of any injury to the canal or the works connected therewith, whenever and as often as such case shall happen, it shall be lawful for the superintendent, officers, foreman and laborers of the Erie canal company to enter upon any lands adjoining or in the neighborhood of said canal, and take and carry away therefrom any stone, gravel, clay, sand or earth necessary for the maintaining and

Privileges granted for reparation of injuries to canal, &c.

repairing said canal: *Provided however*, That before entering on any lands, bail shall be entered before a justice of the peace to pay any award that may be made by arbitrators for the damage, in the manner as provided by the twentieth section of the act constituting the company, if the parties cannot agree upon the price to be paid for the materials taken.

SECTION 3. That to detect and prevent frauds in the shipment of property, all shippers and receivers of freight on the canal, extending from the mouth of Beaver, on the Ohio river, to the city of Erie, shall, on application of the superintendent thereof, exhibit to him, for his inspection, their books wherein are entered the account of freights shipped and received by them respectively; and any person or persons who shall furnish a false bill of lading to any boatman or other person, with an intent to defraud the company, or who shall refuse to comply with the provisions of this section, shall forfeit and pay, for each offence, any fine not exceeding fifty dollars, for which fine the justice of the peace, hearing the complaint, shall render judgment in the name of the commonwealth, and issue execution therefor, and, when collected, shall pay the same into the school treasury of the proper city, borough or township, wherein the offence may be committed, for the use of the common schools in said township, city or borough.

*Mode of detecting and preventing frauds in shipments.*

*Penalty.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 550.

## AN ACT

To authorize the Trustees of the First Presbyterian Congregation, in Kensington, in the city of Philadelphia, to sell and convey on ground rent, or in fee simple, as they may deem most proper, certain Real Estate in the said city, or to raise Money on Bond and Mortgage on the same, or any part of their property, as they may consider most advantageous to the said Congregation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the trustees of the First Presbyterian congregation, in Kensington, in the city of Philadelphia, be and the same are hereby authorized to grant, bargain and sell, lease, release, convey and

*Trustees authorized to sell certain property.*

Description of.

confirm to such person or persons, and for such consideration, price or prices, as they may deem proper, in fee simple or on ground rent, all or any part of two certain lots of ground, situate in the city of Philadelphia, and described as follows, to wit: Lot number one, situate on the south-easterly side Montgomery avenue, late Cherry street, beginning at the distance of one hundred and eighty-five feet, more or less, from the westerly side of Richmond street, containing in front or breadth on said Montgomery avenue, sixty feet, and extending in length or depth one hundred and ninety feet, more or less. Lot number two, composed of four contiguous lots, with the church and school house thereon erected, situate on the north side of Palmer street, at the distance of one hundred and thirty-six feet six inches westward from Richmond street, containing in front or breadth on said Palmer street, eighty feet, and extending in length or depth one hundred and fifty feet; and that the vendee or vendees of said property, be and they are hereby vested with the fee simple title of, in, and to the same, subject to such ground rent or rents, if any, as may be reserved thereout to them, their heirs and assigns, forever.

Empowered to raise money on bond and mortgage.

SECTION 2. That if it shall be deemed by the said trustees more advantageous to the said congregation, to raise money on bond and mortgage on the whole or any portion of their property, they are hereby authorized and empowered to do so, as fully as if specially empowered by the charter of the said congregation.

May dispose of ground rents.

SECTION 3. That if the said trustees should let any of their said property on ground rent, as aforesaid, they may and they are hereby empowered and fully authorized to sell and dispose of the ground rents so reserved, and convey the same to the purchasers thereof.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 551.

## AN ACT

Relative to the Sale of Lands for the non-payment of Taxes in the county of Wayne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the return of taxes for one thousand eight hundred and fifty-eight and one thousand eight hundred and fifty-nine, on unseated lands in Wayne county, as now entered on the tax books of said county, shall be good and valid, notwithstanding the same may not have been returned to said commissioners within the time prescribed by the second section of an act, entitled "An Act relative to the sale of lands for the non-payment of taxes," passed the twenty-first day of April, one thousand eight hundred and fifty-six, and the supplement thereto, entitled "A supplement to an act relative to the sale of lands for the non-payment of taxes," passed the twenty-third day of February, one thousand eight hundred and fifty-eight.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 552.

## A FURTHER SUPPLEMENT

To the act incorporating the Milford and Owego Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fourth section of the supplement to an act authorizing the governor to incorporate the president, managers and company of the Belmonte and Oghquago, and Belmonte and Easton turnpike road, approved April tenth, one thousand eight hundred and forty-eight, so far as the same relates to the Milford and Owego turnpike road company, be and the same is hereby repealed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 553.

## AN ACT

Authorizing the School Directors of the borough of Indiana to borrow the additional sum of Two Thousand Dollars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school directors of the borough of Indiana, in the county of Indiana, be and they are hereby authorized, in addition to the amount authorized to be borrowed by them by an act of assembly, approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty, to borrow a sum or sums of money not exceeding two thousand dollars in the aggregate, at any rate of interest not exceeding eight per cent. per annum, for the purpose of paying off the indebtedness incurred in and about the erection of the public school house lately erected in said borough; and it shall and may be lawful for the board of school directors of said borough to secure the money, so borrowed, by bond or bonds, with mortgage or mortgages upon the real estate belonging to the common school district of said borough, or otherwise, as said directors may deem proper; said money to be repaid out of the school tax to be hereafter collected in said school district.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 554.

## AN ACT

Re-annexing the Farms of John W. McCullough and John L. Williams, in Mercer county, to the Coolspring School District.

WHEREAS, By an act approved the thirteenth day of May, one thousand eight hundred and fifty-six, entitled "An Act authorizing the citizens of the borough of Mercer to erect a Union

school house in said borough," the farms of John W. M'Cullough and John L. Williamson, then in Coolspring school district, in Mercer county, were annexed to the Mercer school district, without the consent and against the interest of the owners of the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said farms of John W. M'Cullough and John L. Williamson, be and they are hereby re-annexed to, and shall hereafter form a part of the said Coolspring school district.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 555.

## AN ACT

To incorporate the Saint Joseph's Female Academy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James F. Wood, Thomas Kane, John V. O'Reily, D. Donnelly, Hugh Monahan, T. O'Reily, John Monahan, P. M'Manus and John Laughran, and their successors, be and they are hereby created into a body politic and corporate, in deed and in law, by the name, style and title of Saint Joseph's female academy, and by that name *Name.* shall have perpetual succession; the trustees filling vacancies that may from time to time occur, by death, removal or otherwise; and shall be able to sue and be sued, to plead and be impleaded, and shall be able and capable in law and in equity to receive, take and hold, for the use of the said corporation, lands, tenements, hereditaments and estate, real and personal whatsoever, and the same to grant, bargain and sell, transfer and assign, mortgage and convey, in such manner as said corporation shall deem proper, and to receive and make all deeds, transfers, contracts, covenants, conveyances and assurances whatsoever, and to make, have and use a common seal, under and by which all deeds, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same seal to change and renew at pleasure, and generally to do every other act or thing necessary.

to carry into effect the provisions of this act, and to promote the objects and designs of the said corporation.

Object.

SECTION 2. That the object and design of the said corporation shall be the establishment of an academy within the limits of Choconut township, Susquehanna county, in which are to be taught the elementary branches of education, together with the sciences and ancient and modern languages, in the manner that may be determined from time to time by the proper officers of the said corporation, and as the same may be set forth in their by-laws and regulations: *Provided*, That such by-laws and regulations are not inconsistent with this charter or with the constitution of the United States or the constitution and laws of this commonwealth.

Provide.

Constitution and by-laws.

SECTION 3. That the said corporation shall have power to adopt a constitution and make by-laws, and the same to amend and repeal at pleasure.

Misnomer.

SECTION 4. That no misnomer of the said corporation shall defeat any intended gift, grant, conveyance, devise or bequest thereto, nor any act or deed intended to be made or done thereby, nor shall the clear annual value of the estate of said corporation exceed the sum of ten thousand dollars.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domin one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 556.

## AN ACT

To authorize the School Directors of the borough of Newport, Perry county, to borrow money.

WHEREAS, By the act of May eight, one thousand eight hundred and fifty-four, authorizing the school directors to borrow money, the per centage is not large enough to meet the wants of said borough; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the school directors of the borough of Newport, Perry county, be and they are hereby authorized and empowered to borrow, upon the credit of said borough, for the purpose of erecting a new school house, any sum of money not exceeding two thou-

sand dollars, payable within ten years, or sooner, if said board shall so determine, with lawful interest: *Provided*, That no bond or other obligation shall be issued by said board for the payment of sums of a less denomination than one hundred dollars, and that the same shall be exempt from taxation.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 557.

## AN ACT

Authorizing the State Treasurer, Auditor General and Attorney General, to examine the Claim of David M'Cormick.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer, auditor general and attorney general, are hereby appointed a commission to examine the claim of the estate of David M'Cormick, late of Clinton county, for money paid to the administrator of Joseph Lighters, by order and direction of John Mitchell, then a member of the canal board; and that the state treasurer is directed to pay over to Sarah M'Cormick, administratrix of the estate of David M'Cormick, any amount that may be found due said estate.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 558.

## A N A C T

Organizing a Company to construct a Turnpike Road from Bellefonte to the Junction House.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Commissioners.** Thomas Huston, Anthony Carner, Henry M'Euen, Geo. Swartz, James Gordon, John J. Gregg, Thomas M'Kean, Jacob Struble, E. C. Humes, H. N. M'Allister, Jacob V. Thomas, Edmund Blanchard and A. L. Valentine, or any five of them, be and they

**Route.** are hereby appointed commissioners to open books and receive subscriptions, and organize a company, by the style and title of the Bellefonte and Junction turnpike road company, with power to construct a turnpike road, partly clay and partly stone, or all of either, commencing at the Junction house, near Washington furnace, and thence to Bellefonte, on the most eligible ground,

**Duties.** subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement thereto.

**Subject to.**

**Capital.** **SECTION 2.** That the capital stock of said company shall consist of six hundred shares of twenty-five dollars each : *Provided,*

**Proviso.** That the said company may, from time to time, by a vote of the stockholders, or a majority of them, at a meeting called for that purpose, increase its capital stock to such an amount as they may deem necessary to carry out the true meaning and intent of this act.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 559.

## AN ACT

To extend certain provisions of the act of one thousand eight hundred and forty-six, laying a Tax on Dogs, to certain Boroughs and Townships in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the provisions of the first, second, third, fourth, fifth and sixth sections of an act, entitled "An Act laying a tax on dogs in the borough of West Chester, and certain townships in the county of Chester, and for other purposes," approved the fourteenth day of April, one thousand eight hundred and forty-six, be and the same are hereby extended to the borough of Downingtown and Upper Oxford township, in the said county of Chester.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 560.

## AN ACT

To Change the Place of Holding Elections in Upper Fairfield township, Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the general, special and township elections in the township of Upper Fairfield, in the county of Lycoming, shall be held at the public house, in said township, known as the Loyalsock house.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*



No. 562.

A N A C T

the Relief of the Sureties of Daniel Zeigler, late Treasurer of Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Ichariah Rittenhouse, Samuel Belford, and George Strunk, sureties of Daniel Zeigler, late treasurer of Mifflin county, be and hereby are released from any liability to the commonwealth, as sureties.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 563.

A S U P P L E M E N T

To an act to incorporate the Potter County Railroad Company, approved the second day of April, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Potter County railroad company shall have power to locate and construct their road authorized by the act to which this is a supplement, from any point on the line of the Sunbury and Erie railroad, in the county of Clinton, to some convenient point on the waters of Pine creek, in the county of Potter.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



We do certify that the bill, No. 552, entitled "An Act to change the place of holding elections in Upper Fairfield township, Lycoming county," was presented to the governor on the twelfth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate.*

*Harrisburg, May 16, 1861.*

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No. 561.

# AN ACT

To annul the Marriage Contract between John P. Pringle and Martha Pringle.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract entered into between John P. Pringle and Martha Pringle, his wife, of the county of Cambria, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties, rights and obligations arising therefrom, as fully and effectually and absolutely, in all respects, as if they had never been joined in marriage.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 562.

A N A C T

For the Relief of the Sureties of Daniel Zeigler, late Treasurer of Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Zachariah Rittenhouse, Samuel Belford, and George Strunk, sureties of Daniel Zeigler, late treasurer of Mifflin county, be and hereby are released from any liability to the commonwealth, as sureties.*

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 563.

A S U P P L E M E N T

To an act to incorporate the Potter County Railroad Company, approved the second day of April, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Potter County railroad company shall have power to locate and construct their road authorized by the act to which this is a supplement, from any point on the line of the Sunbury and Erie railroad, in the county of Clinton, to some convenient point on the waters of Pine creek, in the county of Potter.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 564.

## AN ACT

Relating to the Collection of Taxes on Foreign Insurance Companies.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Insurance, trust or annuity companies incorporated by other states, or by foreign governments, may, upon certain conditions, receive a license from the auditor general.

any fire, marine, inland or life insurance, trust or annuity company, incorporated by any other state of the United States, or by any foreign government, as set forth in the first section of the act of assembly, approved the ninth day of April, eighteen hundred and fifty-six, entitled "An Act relating to the agencies of foreign insurance, annuity and trust companies," and any foreign association, company, firm, individuals or co-partnerships, entered into, formed or established for insuring fire, marine, inland or life risks, granting annuities or accepting trusts, as mentioned in the act, approved the twelfth day of May, eighteen hundred and fifty-seven, entitled "A supplement to the act relative to the agencies of foreign insurance, trust and annuity companies, approved April ninth, eighteen hundred and fifty-six," which shall have received a license to transact business by an agent or agents in any county of this commonwealth, under the provisions of the act of ninth of April, eighteen hundred and fifty-six, and of the said supplement thereto, and shall have established an agency or agencies therein for the space of three successive years immediately preceding an application for a license under the provisions of this act, and which shall have satisfactorily complied with the several provisions of the said act of ninth April, eighteen hundred and fifty-six, may, at any time after the passage of this act, receive from the auditor general a license to transact business within this commonwealth for a space of time or period not exceeding five years from the time of granting of such license, upon the terms and conditions following: That such company, association, firm or individual shall, at the time of receiving such license, pay, in advance, to the treasurer of the state, for the use of the commonwealth, a sum equal to the annual sum required to be paid upon the granting and renewal of the license in each county in which they shall transact business, as specified by the fourth section of the said act of ninth of April, eighteen hundred and fifty-six, for every year for which a license shall be granted under the provisions of this act; and shall likewise pay in advance for every year for which a license shall be granted under the provisions of this act, a sum equal to three per cent. on the dollar, on the average amount of the premiums, gross sums paid for annuities and commissions for executing trusts, annually received at such agency or agencies within this commonwealth, during the three next preceding years for which a license had been granted to such company, association, firm or individual; such sums, when paid, shall be received by this commonwealth in lieu and satis-

Limitation of time.

Terms and conditions.

faction of all other taxes, license, fees and percentage on premiums which might otherwise be or have been imposed by the laws of this commonwealth upon the said company, association, firm or individual, and their agents, for transacting their business within any county of this commonwealth, during the period for which said license shall be granted.

SECTION 2. Every such company so receiving a license to transact business within this commonwealth for a term of years, shall, in all other respects, saving the payment of the annual sum for the renewal of such license, and the sum of three per cent. thereby directed to be retained out of every dollar received for premiums, gross sums paid for annuities, and on all commissions for executing trusts, to be paid to the treasurer of the commonwealth, as set forth in the fourth section thereof, be subject to the other provisions of the said act of ninth April, eighteen hundred and fifty-six.

To be subject to act of April 9th, 1856, with certain exceptions.

SECTION 3. Whenever any company, association, firm or individual shall apply for a license to transact business under the provisions of this act, before the expiration of the year for which a license had been received under the provisions of the act of ninth April, eighteen hundred and fifty-six, the auditor general shall, before issuing a license under the provisions of this act, require payment, to the treasurer of the commonwealth, of the sum of three per cent. on the dollar on all premiums, gross sums paid for annuities, and on all commissions for executing trusts received by such company, firm or individual, at any agency or agencies within this commonwealth, from the time of the granting of such license under the act of ninth April, eighteen hundred and fifty-six, up to the date of the granting of another license under the provisions of this act: *Provided however*, That a credit shall be allowed to such company, association, firm or individual, upon the payment required to be made to the treasurer of the state, under the provisions of this act, for a proportional part of the annual license fee previously paid to the commonwealth for the unexpired portion of the year for which such license had been previously granted.

Companies, &c., licensed under former act may be licensed under this by payment to state treasurer of three per cent. on premiums, &c.

Proviso.

SECTION 4. That in the event of the death of any agent or agents to whom a license may be issued under the provisions of this act, and before the expiration of the period for which such license shall be granted, or in case such agent or agents shall resign, be dismissed, become incapable, or shall remove from the county and state before the expiration of said period, it shall be the duty of the auditor general, upon the application of such company, association, firm or individual, accompanied by the production of a proper instrument appointing another person to be their attorney, resident in the state, on whom process of law can or may be served, together with a certified copy of the resolution of the board of directors or managers of such company, appointing such other attorney or agent, to issue a license to such company, association, firm or individual to transact their business, by such other attorney or agent, during the unexpired period of the term for which such license was originally granted, in the same county or counties, within this commonwealth, without requiring any other or further payment therefor: *Provided however*, Such new attorney or agent shall,

Death, resignation or dismissal of agents, relative to.

Appointment of attorney or agent in lieu thereof, their powers, &c.

Bonds to be given.

at the time of receiving such other license, give bond, in the same amount, conditioned for the same purposes, and to be approved in the same manner, and with the like effect, in all respects, as is provided by the sixth section of the act of ninth April, eighteen hundred and fifty-six.

Three per cent. to be paid to the state treasurer on excess of premiums over annual average receipts.

SECTION 5. Whenever the amount received for premiums, at any agency within this commonwealth, by any company, association, firm or individual, which shall receive a license under the provisions of this act, shall, in any one year, exceed the average annual receipts for premiums, upon which the payment of three cents on the dollar is required at the time of the granting of such license, that then and in such case it shall be the duty of the said company, association, firm or individual, and their agent, at the time of rendering the annual statement required by the act of ninth April, eighteen hundred and fifty-six, to pay to the treasurer of the state, for the use of the commonwealth, the sum of three cents on the dollar on the amount of the excess of the premiums received at such agency, during any such year, over the said annual average receipts upon which a payment of three cents on the dollar was required at the time of the granting of such license; and in default of such payment being made, it shall be the duty of the auditor general of the commonwealth forthwith to enforce payment of the same, by a suit against the agent of said company upon the bond required by the act of eighteen hundred and fifty-six; and for the purpose of better enforcing the provisions of this section, the auditor general shall require from the agent of any such company, association, firm or individual, a statement, under the oath or affirmation of such agent, setting forth the amount received for premiums, at any agency established within this commonwealth, under the provisions of this act, for every year, or part of a year, ending on the thirty-first day of December, during the continuance of such license: *Provided*, That this act shall only apply to such companies as have an agency in the city of Philadelphia.

Payment to be enforced by auditor general.

Statement of premiums received to be made annually under oath.

Proviso.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 565.

## AN ACT

To authorize the Burgess and Town Council of the borough of Tioga to Levy a Special Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the town council of the borough of Tioga, shall be authorized to levy and collect a tax each year, when necessary, for the support and maintenance of the poor in said borough, not exceeding one cent on the dollar of the last adjusted valuation and assessment for county purposes. Tax for the support of the poor authorized.  
Limitation.

SECTION 2. That for the purpose of paying the expenses of organizing said borough, and for building a lock-up, pound, cross walks and repaving streets, &c., the town council of said borough of Tioga are authorized and empowered to levy and collect, in addition to the tax now authorized by section twenty-four of the act of April third, one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," a tax each year, for two successive years, not exceeding one cent upon the dollar of the last adjusted valuation for county purposes. Tax for expenses of organizing borough, building lock-up, &c.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 566.

## AN ACT

To incorporate the Pittsburg and Brownsville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel S. Boggs, William B. Lank, Robert Campbell, John A. Happer and Joseph M. Curry, of Washington county, Samuel M'Kee, J. Finley Curry, Edward Campbell, junior, Isaac M'Don- Commissioners.

	ough, Thomas Kiddoo, Joseph Miller, Hiram Hultz and Isaac King, of Allegheny county, are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Pittsburgh and Brownsville turnpike road company, with power to construct a turnpike road from Pittsburgh, in the county of Allegheny, to a point on the Washington and Williamsport turnpike road, between Duncingsville and the Valley inn, now owned by John Patton, by the nearest and best route, as may be determined upon by the stockholders, and to use, when necessary, any other public road
<b>Style.</b>	or bridge on the route, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved on the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto, so far as the same are not inconsistent with the provisions of this act.
<b>Route.</b>	
<b>May use other roads and bridges</b>	
<b>Capital.</b>	SECTION 2. The capital stock of said company shall consist of six hundred shares, of twenty-five dollars each; and the said company may, from time to time, by a vote of a majority of the stockholders, at a meeting called for that purpose, increase the said capital stock, if it shall be deemed necessary to carry out the true intent and meaning of this act.
<b>When to commence and complete road.</b>	SECTION 3. If the said company shall not commence the construction of said road within two years after the passage of this act, and shall not, within five years thereafter, complete ten miles thereof, measured southwardly from its most southerly junction with the planked portion of the Birmingham and Brownsville plank road, then this act shall be null and void, except so far as may be necessary to wind up and settle the affairs, and collect and pay the debts owing to or by the company.
<b>When tolls may be collected.</b>	SECTION 4. The said company shall have power to erect and set up gates, and collect tolls from persons using said road, at the rates prescribed in the said act regulating turnpike and plank road companies, so soon as they shall have completed two miles of said road, measured southwardly from its most southerly junction with the planked portion of said Birmingham and Brownsville plank road, without the license and examination required by the twelfth section of aforesaid act.
<b>Certificates of stock.</b>	SECTION 5. The certificates of stock for the respective shares held and owned in said company, and issued to the stockholders, as required by the fifth section of the said act regulating turnpike and plank road companies, shall, if the subscriber, at the time of making the subscription, so direct, bear interest, at the rate of twelve per centum per annum, on the par value of the stock represented by said certificate respectively; said interest to be payable only in tolls on said road, which interest shall be in lieu of all dividends on all shares of the stock represented by such interest bearing certificates; and the directors shall, from time to time, issue and deliver to the parties entitled to receive the same, checks, or certificates, for the interest as aforesaid, already accrued, or which will accrue within one year after the time of such delivery, on any stock certificate bearing interest as aforesaid, in such form as said directors may determine, which interest checks, or certificates, shall, at all times
<b>Rate of interest and how paid.</b>	

within two years after the issue thereof, be received, at their par value, by said company, its toll-gatherers and agents, from any legal holder thereof, in payment of tolls on said road, at their par value.

SECTION 6. The said directors shall cause to be kept in a book or books procured for that purpose, full and accurate accounts in detail, of all such interest checks or certificates issued, with the names of the parties to whom and the number of the stock certificate on which the same may be issued; and also, of all such as may have been received for tolls, showing the balance outstanding, which accounts shall be submitted to the annual meetings of the stockholders, and a copy thereof shall be kept either at the office of the company or at one of their toll houses, and shall at all times be open to the inspection of any stockholder.

Accounts of interest checks or certificates to be kept.

SECTION 7. The directors of the said company shall have power, if authorized by the stockholders at a meeting called for that purpose, to purchase or lease for a term of years, the road bed, bridges, toll houses, or other property, right, privilege or franchise of any other company, heretofore incorporated, for the purpose of constructing a plank or turnpike road, on or over any portion of the route designated in the first section of this act; and the directors or managers of any such other company, if authorized by a meeting of the stockholders thereof called for that purpose, shall have full power to enter into any contract with the said Pittsburg and Brownsville turnpike road company, in respect to any such sale or lease.

Directors may purchase or lease property and rights of other companies.

Empowered to make certain contract.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*  
ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 567.

## A SUPP

To the charter of Incorporation of the Wetherell Zinc Company.

WHEREAS, On the twenty-sixth day of November, Anno Domini one thousand eight hundred and fifty-six, a charter of incorporation, under the great seal of the state, was granted to the Wetherell zinc company, to be located at Bethlehem, Northampton county, Pennsylvania, the charter being granted to the said company, for the purpose of manufacturing metal zinc under a new patent process, by which the said company erected buildings and expended about twenty-five thousand dollars, and



then commenced the manufacture of zinc, when it was immediately ascertained that the zinc could not be made to any profit under the patent, and the works were immediately abandoned, and the whole project and design was given up as a failure; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said corporation of the Wetherell zinc company shall be exonerated from the payment of the bonus and taxes now charged against the said company, and due the commonwealth of Pennsylvania.*

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 568.

## A N A C T

Appointing Commissioners to lay out and open a State Road in the counties of M'Kean, Elk, Forest and Clarion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas L. Kane, of Elk county, David E. Cornelius, of M'Kean county, John D. Hunt, of Forest county, and Samuel B. Rynard, of Clarion county, are hereby appointed commissioners for the purpose of laying out, opening and making a state road, commencing upon a point by them to be fixed, upon the state road leading from Buena Vista to Mavin creek, in Hamlin township, M'Kean county, to the town of Tylersburg, in Clarion county.

Commissioners.

Route.

Duty of commissioners.

SECTION 2. That when said road shall have been surveyed and located, it shall be the duty of said commissioners to make a draft of the same, which shall be filed of record in the court of quarter sessions of each county through which said road passes; and when so filed, said draft and record shall be legal evidence in all things relating to the same; and said road from thence is hereby declared to be a public road, in the same manner as other roads laid out and opened for public use; and said road shall be opened fifty feet in width.

What proportion of road taxes to be received by commissioners from supervisors, &c.

SECTION 3. That the said commissioners shall receive from the supervisors or road commissioners of the several townships through which said road passes, or from the commissioners of

the counties, so far as the unseated tax is paid to the supervisors or road commissioners by them, by orders drawn upon the several county treasurers, three and one-half mills per dollar upon the valuation, from the taxes levied and assessed for road purposes, for the year one thousand eight hundred and sixty-one, and yearly thereafter, for the term of five years, at which time the duties of said commissioners shall cease and expire: *Provided*, That in the county of Forest the supervisors for the purpose of this bill, shall have power, in addition to the tax they are now allowed by law to levy and collect, to levy and collect an additional road tax of three and one-half mills.

*Previous.*

SECTION 4. That any three of the said commissioners shall constitute a quorum and sufficient to perform any act hereby authorized to be done; and in case of the death, resignation or neglect to perform the duties required by either of said commissioners, the court of quarter sessions of Elk county shall, upon the petition of any three of the said commissioners, appoint a suitable person or persons, to fill said vacancy, who shall give bond as hereinafter required by this act.

*Quorum.*

*Vacancies.*

SECTION 5. That said commissioners shall annually settle their accounts with the auditors of Elk county, and shall be allowed a compensation not exceeding one dollar and fifty cents each per day, for the time they shall be engaged in laying out, opening and making said road.

*Settlement of accounts.*

*Compensation.*

SECTION 6. That each county through which said road shall pass, shall pay its proportion of the expenses of locating said road, and making a draft or plot of the same, to be filed as provided by the second section of this act, according to the number of miles in each county, which shall be paid out of the county funds, by orders drawn by the commissioners of the several counties, in the same manner as other county debts are now paid.

*Each county to pay proportion of costs of locating, &c.*

SECTION 7. That the said commissioners shall have power to levy and assess a tax upon the unseated assessed property in the townships through which said road shall pass, for the year one thousand eight hundred and sixty-two, and annually thereafter during the continuance of this act, not exceeding ten mills on the dollar in any one year, if they shall deem the same necessary for the purposes herein mentioned, which shall be collected by said commissioners, in the same manner as other road taxes in the said townships are now by law collected.

*Commissioners to levy a tax upon unseated assessed property.*

SECTION 8. That the said commissioners, before entering upon the duties of their office, shall give a bond with at least two sureties, conditioned for the faithful application of all moneys received by them, and for the faithful discharge of the duties of their office; which bond shall be approved by one of the judges of the court of quarter sessions of Elk county, and filed among the records of said court.

*Bond to be given by commissioners*

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 569.

## A SUPPLEMENT

To an act, entitled "An Act authorizing the Governor to incorporate the Mauch Chunk Water Company," approved the sixth day of March, Anno Domini one thousand eight hundred and forty-nine.

Mauch Chunk water company authorized to increase their capital stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of increasing the supply of water for the use of the citizens of the borough of Mauch Chunk, and to enable the Mauch Chunk water company to extend their works to the borough of East Mauch Chunk, in the county of Carbon, the said company are hereby authorized to increase their capital stock from time to time, and as often as it may be found necessary, to an amount not exceeding ten thousand dollars, to be divided into shares of twenty-five dollars each, and to issue certificates for the same, as provided in the act to which this is a supplement.

Certificates to be issued.

When and how water to be conveyed into East Mauch Chunk.

SECTION 2. That when a sufficient amount of such increased capital stock is subscribed, the said company shall proceed to bring, introduce and convey into the borough of East Mauch Chunk, from such streams and springs in said borough as may be determined upon or purchased by said company, a sufficient supply of water for the domestic uses of the inhabitants and for the extinguishment of fires, by means of pipes, trunks or aqueducts; and also, to provide proper cisterns or reservoirs for the reception thereof, and shall have the right to extend their pipes and fixtures over or through the Lehigh river, in such a manner as shall not obstruct the navigation thereof, and to connect the same with their works in the borough of Mauch Chunk, and for those purposes may enter into and upon such lands, streams, streets and alleys as may be necessary, and dig, trench and lay pipes through the same, under like restrictions as to damages as are provided in the act to which this is a supplement.

May extend pipes, &c., over or through Lehigh river.

Damages.

Branches or connections to be constructed as designated by burgess and council.

SECTION 3. That the said company, at such points as shall be designated by the burgess and town council of the borough of East Mauch Chunk, in the streets and alleys where pipes are to be laid, shall construct such branches or connections as may be necessary for the supply of fire plugs or public hydrants, and shall permit the water to be used for the same, under such regulations as the company may adopt, and at such reasonable charges for the use of the water as the company and the burgess and town council may agree upon: *Provided,* That the said company shall not be required to lay their pipes through more than one street in the said borough, until such time as the probable annual income, for the use of the water in any other street, shall be equal to six per centum of the cost of extending the pipes through the same.

Regulations and charges.

Proviso.

SECTION 4. That when the citizens or owners of property on any street through which the water pipes have not been laid, shall present to the town council their request in writing to have the pipes laid through such street, together with an agreement to pay the per centage aforesaid, the said council may, at their option, guarantee the payment thereof, or of any deficiency therein, to the said company; and upon the request of the said council, the said company shall, with as little delay as possible, extend their pipes through the street named; and the burgess and town council may and they are hereby authorized to provide for the payment of any such deficiency, and for the expenses of erecting and maintaining fire plugs or public hydrants, and for the use of the water for the same, by levying and collecting, as borough taxes are levied and collected, such sum as may be necessary for the purposes aforesaid, of and upon the property and citizens benefited or protected by such fire plugs, hydrants and water pipes.

Conditions upon which pipes are to be laid through certain streets.

Tax be levied upon property benefited.

SECTION 5. That the provisions of the act to which this is a supplement, so far as they relate to the works of the said company, in what was at the time of the passage of the said act the village of Mauch Chunk, and are consistent with this supplement, are hereby extended to the proposed extension of the said works, in the borough of East Mauch Chunk: *Provided*, That if the said company shall not commence the said work within ninety days after the passage of this act, and within one year thereafter complete the same, so far as to carry the water through at least one street in said borough, in either of these cases, all and singular the rights, liberties and franchises hereby granted to the said company, shall revert to the commonwealth.

Provisions of former act extended.

Proviso.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 570.

## AN ACT

For the relief of Temperance Morris, widow of Samuel Morris, an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the state treasurer be and he is hereby authorized and directed to pay Temperance Morris, of Fayette county, the widow of an old soldier, or to her order, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, one thousand eight hundred and sixty-one, and payable half yearly thereafter, on the first day of January and July.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 571.

### SUPPLEMENT

To an act incorporating the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Erie are hereby authorized and empowered to cause to be graded, paved, macadamized, repaired or otherwise improved, any public street, or part thereof, which is now or may hereafter be laid out and opened in said city, and have the said street, or part of street, set with curb stone; and the said councils are hereby authorized and empowered to provide, by ordinance, for the levy and collection of the cost and expense of work and materials used therefor, from the owners of the property bounded by and abutting on said street, or part of street, by an equal assessment on said property in proportion to the number of feet the same fronts on said street, or part of street: *Provided,* That said councils shall not order any street, or part of street, to be paved, graded, macadamized or set with curb stone, except upon the petition of a majority of the persons holding or owning property on said street, or part of street, so proposed to be graded, macadamized or set with curb stone.

Councils authorized to have streets graded, paved, &c.

How to be paid for.

Petition of majority of property owners necessary

When petitions must be presented.

SECTION 2. When the said councils shall, by ordinance, direct the grading, paving, macadamizing or curbing of any street, or part of street, within said city, the question whether a majority of persons holding or owning property thereon have petitioned therefor, shall cease and determine: *Provided,* That no ordinance for any of the above named purposes shall be passed,

until — days notice of the improvement prayed for has been given in the official paper of the city.

Notice to be given in official paper.

SECTION 3. The term owner or owners, when used in this act, is hereby declared to mean any person or persons, or bodies corporate, who may own or claim the property to be affected by such improvements and assessments mentioned or intended in this act, in whom is vested any estate, in fee simple, fee tail, for life, a perpetual leasehold, or for a term of years, by lease or otherwise, not less than twenty years; a majority of the owners of an undivided property to constitute one person for the purposes of this act.

Construction of this act.

SECTION 4. When the assessment is completed on the property liable to be assessed for said street improvement, under the provisions of this act, a written or printed notice, stating the amount of such assessment, shall be given to the owner, or reputed owner or person liable therefor, under the provisions of this act, or said notice shall be left at the residence of such person or persons, with an adult member of the family; or if the person so liable be a non-resident, then to the agent of such person, residing in the city of Erie; or if there be no resident-agent, then by a written or printed notice, addressed to the last known place of residence of such person; and if the tax or sum so assessed be not paid within sixty days after notice given as aforesaid, the mayor of said city may proceed to collect the same as follows, to wit: The collector of said tax shall make out a written statement of the amount of said tax, and a description of the property taxed, together with his affidavit of the correctness of said statement and description, and that the notice provided herein was given, in the mode and manner herein provided; and the prothonotary of the court of common pleas of Erie county shall enter judgment on the same, with ten per centum damages, and costs of suit, and interest from the date of said entry, which judgment shall be in form as follows, to wit: The city of Erie *versus* A B, owner, or reputed owner, et cetera, with a general description of the property upon which said tax was assessed, which judgment so entered shall be a lien upon said real estate, and shall be collected, by execution, as judgments on mortgages are now by law collected.

Notice of amount of assessment.

In case of non-payment mayor empowered to collect.

Prothonotary to enter judgment.

Form of.

To be a lien.

SECTION 5. No suit shall hereafter be brought, by any person or persons, in the name of the city, without notice, in writing, being first given to the city solicitor, who shall keep a regular docket of all such suits, in a book furnished by the city, and hand the same over to his successor in office; and the city shall not be liable for any costs on suits that are not authorized by the mayor, city solicitor or some other person specially authorized by councils so to do.

No suit to be brought in name of the city without notice to solicitor.

Docket.

When city not liable for costs.

SECTION 6. The select and common councils of the city of Erie are hereby authorized to appropriate a sum, not exceeding two thousand dollars, for the purpose of dredging the bars in the channel at the harbor of Erie; and are also hereby authorized to assess a tax, for one year, not exceeding two mills on the dollar of valuation, on all persons and property in said city taxable for city purposes, for the purpose of paying such appropriation; said tax not to be applied to any other purpose whatever: *Provided*, That no appropriation shall be made for the

Appropriation for dredging the bars.

Tax for that purpose authorized.

Proviso.

*Proviso.*

purposes aforesaid, until the sum of four thousand dollars shall be provided, in good faith, by other parties, for the same purpose: *And provided further*, That any of said appropriation made by said city, that may not be needed for the purposes aforesaid, may be used for the purpose of repairing the public dock in front of said city.

*Repeal.*

SECTION 7. All acts and part of acts inconsistent herewith are hereby repealed.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 572.

## A SUPPLEMENT

To the act relating to the Courts of Union and Snyder counties.

WHEREAS, By an act of assembly of this commonwealth, approved the ——— day of March, one thousand eight hundred and sixty-one, hereafter the regular terms of the Union county courts are to commence on the third Monday of February, May, September and December, and the Snyder county courts the Monday following, except the December term, which is to be held the week preceding the Union county courts:

*And whereas*, A number of writs have already issued out of said courts, returnable as provided by the law that was in force prior to said act of the twenty-first of March, one thousand eight hundred and sixty-one; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That writs of summons, *fieri facias*, *venditioni exponas*, and other writs issued out of the courts of Union county, returnable on the second Monday of May, one thousand eight hundred and sixty-one, and those issued out of the courts of Snyder county, returnable on the third Monday of May, one thousand eight hundred and sixty-one, shall have the like effect and be considered as if those in Union county had been made returnable on the third Monday of May, and those in Snyder county on the fourth Monday of May, one thousand eight hundred and sixty-one; and all proceedings had and that may be had, shall

be as good and valid, to all intents and purposes, as if such writs had issued, returnable at the time now required by law.

SECTION 2. That the venires issued in Union county, for the summoning of jurors for the May term, one thousand eight hundred and sixty-one, shall be considered as if issued for the third Monday in May, and those in Snyder county as if issued for the fourth Monday of May, one thousand eight hundred and sixty-one; and that the courts shall be commenced at that time, notwithstanding the venires in Union county may have issued for the second Monday, and that in Snyder county for the third Monday of May term, one thousand eight hundred and sixty-one; and all proceedings at those terms shall be as valid in law as if the act of twenty-first March, one thousand eight hundred and sixty-one, regulating the courts of Union and Snyder counties, had been passed prior to the issuing of said venires, and they had been issued for the time fixed by said latter act for the meeting of the courts.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 573.

## A N A C T

Supplementary to an act relating to County Rates and Levies and Township Rates and Levies, passed the fifteenth day of April, Anno Domini one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the supervisors of the township of Lower Saucon, in the county of Northampton, before the issuing of the duplicates and warrants for the collection of the road taxes, to give notice to all persons residing in said township, rated for such tax, by written or printed advertisements, or otherwise, to attend at such times or places as such supervisors may direct, so as to give such persons opportunity to work out a part or the whole of their respective taxes. That the said supervisors shall be the collectors of the road tax, who shall respectively be accountable for the faithful collection thereof; and the said supervisors shall constitute a board to fix the wages of laborers to be



## LAWS OF PENNSYLVANIA,

employed by them; and that the thirty-first, the thirty-fourth and the thirty-ninth sections, and whatever is inconsistent in the said act, with this section, is hereby repealed, as far as it relates to Lower Saucon township.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 574.

## A N A C T

Declaring Muddy run, and the East and West Branches thereof, in Clearfield county, Public Highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, Muddy run, and the East and West Branches thereof, in the county of Clearfield, for the distance of twelve miles above its mouth, shall be public highways, kept open and protected as such under existing laws.*

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 575.

## AN ACT

For the Relief of George Edkins, late Treasurer of the county of Sullivan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer shall be and hereby are authorized to open the settlement of the accounts of George Edkins, late treasurer of the county of Sullivan, made August twenty-second, Anno Domini one thousand eight hundred and fifty-four, so far as to credit to him a certain item of five hundred dollars therein charged against him, and to charge the same against the said county, it being the deficit of state tax levied in the said county, for the year one thousand eight hundred and fifty-one, below the *pro rata* amount assessed against the said county by the revenue commissioners.

Accounts to be  
opened and  
credit given for  
certain item.

SECTION 2. That the balance, if any, which on such re-audit shall appear to be due from the commonwealth to the said George Edkins, may and shall be refunded to him by the state treasurer, out of any funds in the treasury not otherwise appropriated; and also, if the balance be thus found in favor of the said Edkins, [that the attorney general be authorized to enter satisfaction on the judgments entered against the said Edkins and his sureties, in the court of common pleas of Dauphin county.

Balance, rela-  
tive to.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 576.

## AN ACT

To divide the borough of Ebensburg, in the county of Cambria, into two wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

- Divided into two wards.** from and after the passage of this act, the borough of Ebensburg, in the county of Cambria, shall be divided into two wards as follows, to wit: All that portion of said borough lying east of Centre street shall be called the East ward, and all that portion of said borough lying west of said Centre street shall be called the West ward: *Provided*, That the said borough of Ebensburg shall be and remain a separate school district as it now exists and as if this act had not passed: *And provided further*, That the qualified voters in said school district, residing outside of the limits of said borough, shall, after the passage of this act, vote for school directors at the court house, in the East ward, in said borough, as heretofore.
- To remain a separate school district. Proviso.** SECTION 2. That the said East and West wards shall, from and after the passage of this act, form two separate election districts, and the qualified voters therein shall hereafter separately elect, on the third Friday in February, in each year, one judge, two inspectors and one assessor to conduct the general and borough elections in said wards, and at such times as are directed by the existing laws of this commonwealth, one constable and one justice of the peace for each of the said wards, and also all such other officers as are allowed to any borough, ward or township in said county.
- Election districts**
- Election officers and assessor.** SECTION 3. That for the purpose of holding and conducting the next general and ward elections, to be held in October and February next, for the East and West wards of the borough aforesaid, held under the provisions of this act, Evan E. Evans is hereby appointed judge, and Evan Griffith and Lewis Rodgers inspectors of the said East ward, and Mesach Thomas is hereby appointed judge, and Robert Evans and William J. Williams inspectors of the said West ward; and in case a vacancy or vacancies shall occur in either of said election boards, by death, resignation or otherwise, the remaining members thereof respectively are hereby authorized to fill the same by appointment.
- Constables, justices, &c.**
- Officers appointed for elections in October and February next.** SECTION 4. That the qualified voters of the said borough of Ebensburg shall as heretofore, and as if this act had not passed, elect one person to serve as burgess of said borough; and the judges of the election in the said East and West wards are hereby appointed return judges of their respective wards, to meet at the prothonotary's office, in said borough, on the first Tuesday after the next February election, and on the same day in each year thereafter; and having so met, they shall deliver to the said prothonotary the returns of the votes cast in their respective wards, duly certified, for burgess and school directors; and the said prothonotary is hereby required to make out a certificate of election to the persons duly elected to the offices aforesaid.
- Vacancies.**
- Burgess.**
- Return judges, their duties.**
- Prothonotary to make certificate.** SECTION 5. That it shall be the duty of the commissioners of the said county of Cambria to furnish to the judges and inspectors of each of the said wards, the same ballot boxes, blank forms, list of taxable, and all other papers as are now furnished to the judges and inspectors of elections in said county.
- Duty of commissioners.** SECTION 6. That all officers now holding office in the said borough of Ebensburg shall continue to act as such until the expiration of their terms of office.
- Present officers.**

**SECTION 7.** That the court house, in the East ward in said <sup>Places of holding</sup> borough, shall be the place for holding the general, special and elections. borough elections therein, and the Town hall, in the West ward of said borough, shall be the place for holding the general and borough elections therein.

**SECTION 8.** That all laws and parts of laws inconsistent with <sup>Repeal.</sup> the provisions of this act, be and the same are hereby repealed.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 577.

## A N A C T

To lay out a State Road in the counties of Butler and Venango.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Dickson M'Candless, George S. Jamison and Allen Crawford, <sup>Commissioners.</sup> of Butler county, be and they are hereby appointed commissioners to view and vacate that part of the Queenstown and Emlenton state road, commencing at the farm of John Davis, <sup>Part of certain road to be vacated.</sup> and ending at the Emlenton bridge; and also to lay out a road from a point in a public road called the Queenstown and Emlenton road, at or near the farm of John Davis, in Butler county, to a point on the Emlenton and Butler road, near Kensington furnace, by the nearest and best route. <sup>Route of road to be laid out.</sup>

**SECTION 2.** That it shall be the duty of said commissioners, <sup>Duties of commissioners.</sup> as soon as practicable, having first been sworn or affirmed, before a justice of the peace or other proper officer, to perform the duties enjoined upon them by this act with impartiality and fidelity, which said oath shall be filed in his office by the said justice of the peace or other proper officer, carefully to view the ground and lay out the said road, having respect to the ground and shortest distance, so as best to subserve the public good and do the least injury to private property; and that they shall clearly and distinctly mark upon the ground the route agreed upon, so as to enable the supervisors to readily find the same.

**Drafts.**

**SECTION 3.** That said commissioners shall make a fair and accurate draft of the location of said road, noting the courses and distances with a reference to the improvements, one copy thereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of October next, and one copy in the office of the court of quarter sessions of each of the counties, on or before the first day of October next; and from thenceforth the road shall be, to all intents and purposes, a public highway, and shall be opened to the width of thirty-three feet, and shall be made and repaired, in all respects, as roads laid out by order of court; and the damages sustained by the owners of land, if any, shall be assessed and paid as provided by act of thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

**Read to be opened.****Damages.****Pay.**

**SECTION 4.** That the said commissioners, one of whom may be an artist, shall each be entitled to receive two dollars per day for each and every day they shall be necessarily employed in performing the duties enjoined upon them by this act, and the artist shall be entitled to receive fifty cents per day additional compensation; and the said commissioners shall be authorized to employ two chain carriers and one axeman, at a compensation not exceeding one dollar per day; and the accounts shall be registered by the commissioners and paid by the treasurers of said counties in the usual manner; and if any vacancy shall occur, by resignation or otherwise, the remaining commissioner or commissioners shall have power to supply such vacancy or vacancies by appointment: *Provided*, That the expense of said commissioners shall be paid in proportion to the services rendered in the counties of Butler and Venango.

**Vacancies.****Proviso.**

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 578.

## SUPPLEMENT

To an act relative to the Hanover and South Whitehall Bridge Company, passed the thirty-first day of January, Anno Domini one thousand eight hundred and fifty-six.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the said company is hereby authorized to borrow any sum or sums of money not exceeding together in amount ten thousand dollars; and for the sum or sums so by the said act authorized to be borrowed, the said company be and it is hereby authorized to make, execute and issue certificates, bonds and other evidences of indebtedness of the said company, to the lender or lenders of the money by them borrowed, in such form or forms, and on such terms and conditions, as may be by them deemed expedient, and if necessary, on such as may be mutually agreed upon by and between the parties interested: *Provided*, That said company shall issue no bond, note or other evidence of indebtedness, for any sum less than one hundred dollars: *And provided also*, That the said bonds, notes or other evidences of indebtedness, shall not be disposed of at less than their par value: *And provided further*, That the certificates, bonds, notes or other evidences of indebtedness hereby authorized to be issued, shall not exceed an interest of seven per cent. per annum.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN

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No. 579.

## AN ACT

To appoint an Auctioneer in the county of Bedford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the governor be and he is hereby authorized and empowered to appoint and commission, for the term of five years, one suitable person, in the county of Bedford, as an auctioneer, who shall be authorized to sell at public auction, at such times and places as he may select, all kinds of goods, wares and merchandise, lands, tenements and all other kinds of property; and the auctioneer so appointed and commissioned shall, before exercising any of the powers or enjoying any of the privileges incident to said appointment, pay into the county treasury of Bedford county, for the use of the commonwealth, the sum of thirty dollars for his commission; and the said auctioneer shall also pay into the county treasury, for the use of the commonwealth, one per centum

upon all sales exceeding in amount the sum of ten thousand dollars.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 580.

### A FURTHER SUPPLEMENT

To the act to incorporate the Farmers' Market Company, approved March nineteenth, Anno Domini one thousand eight hundred and fifty-nine.

**Managers and officers, relative to.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the managers and officers of the Farmers' market company, for the time being, shall continue in office until their successors shall be elected and duly organized, and prepared to enter upon their duties.*

**Subscribers failing to pay subscriptions forfeit their stock.** SECTION 2. That when any subscriber or subscribers to the capital stock of said company shall have been, for a period of three months or more, in default in not paying the full amount of their respective subscriptions, agreeably to the requirements of the said managers, it shall be lawful for the said managers to declare said stock forfeited; and thereupon such subscribers shall

**Provide.**

cease to have any interest in such stock: *Provided, That before any such forfeiture shall take place, twenty days notice shall be given to such stockholder, either personally or by publication, once a week, for three successive weeks, in one weekly newspaper published in each of the counties of Chester, Delaware and Montgomery, and in one daily newspaper in the city of Philadelphia.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 581.

## A N A C T

Relative to Sales by Auction in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "A supplement to an act to restrict sales by auction in the counties of Northampton, Dauphin and Lehigh," approved the second day of April, Anno Domini one thousand eight hundred and sixty, be and the same is hereby repealed so far as the same relates to the county of Northampton: *Provided,* The auctioneer appointed for Northampton county shall not be permitted to sell, by auction, queensware, jewelry and boots and shoes.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 582.

## A N A C T

Relative to a Public Road in Pine Grove township, Warren county.

WHEREAS, The bridge across the Conewango creek, in Pine Grove township, in Warren county, known as the "stone bridge," was destroyed by a late flood, and its re-construction is impracticable; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road commissioners of said township of Pine Grove are hereby authorized to lay out and construct a road from a point near Levy E. Akley's, to the Russelburg bridge, on the east side of the Conewango creek, in said township, and to levy such additional road tax as may be necessary for that purpose, with



power to vacate the Hilly road leading from and to the same points.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 583.

# AN ACT

To validate and confirm a Deed of Voluntary Assignment from Conrad Harman and Louisa, his wife, to Abraham D. Cauffman and Upton Washabaugh.

WHEREAS, Conrad Harman and Louisa, his wife, of the borough of Chambersburg, did, on the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty, make a deed of voluntary assignment for the benefit of the creditors of the said Conrad Harman, to Abraham D. Cauffman and Upton Washabaugh:

*And whereas also,* The said assignees did accept the said trust, and have, in pursuance thereof, sold the real estate of the said Conrad Harman, but by a mistake said deed of assignment has not been recorded in the recorder's office of Franklin county, in conformity with the provisions of the act of assembly of the twenty-fourth day of March, Anno Domini one thousand eight hundred and eighteen; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said deed of assignment shall not be deemed, held, or adjudged invalid or defective in law, by reason of the same not having been recorded in the said recorder's office, within thirty days from the execution thereof, but that the same shall be deemed, held and adjudged to be as valid and of the same legal force and virtue as though the same had been regularly recorded within the prescribed period; and all and singular the acts and deeds of the said assignees, done and performed by virtue thereof, shall be deemed, held and adjudged to be valid and legal to all intents and purposes: *Provided,* Said deed of assignment shall be recorded according to law, in the proper office in the county of Franklin, within twenty days from the passage of this act: *Provided,* That no creditor shall lose any legal

rights he may have acquired by reason of the neglect to record said deed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 584.

## A FURTHER SUPPLEMENT

To an act to incorporate the University of Kittanning, approved the eighteenth day of March, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be organized, in connection with said university, a department for the education of females, under the name and style of the Young Ladies' collegiate institute. Department for the education of females to be organized.

SECTION 2. That from section second of article second, all the words following "treasurer," be stricken out, and from section four of said article, the word "nine" be erased, and the word "five" inserted instead thereof. Act of incorporation amended.

SECTION 3. That the *senatus academicus* shall include and require at least five of the trustees to constitute a quorum for the transaction of business. Quorum.

SECTION 4. That trustees neglecting to attend meetings of the board and *senatus* for one year, shall cease to be members thereof. Meetings.

SECTION 5. That all parts of said act conflicting with this supplement are hereby repealed. Repeal.

SECTION 6. That the first section of the fifth article of the act to which this is a supplement be and the same is hereby repealed. Repeal.

J. H. SELTZER,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 585.

## AN ACT

To incorporate the Line Lexington Seminary Association.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
- Corporators.** C. Todd Jenkins, Michael Snyder, Philip Sellers, Jonathan Mattis, R. Stoneback, J. M. Jenkins, Peter Evans, Samuel Bartholomew, Henry Robinson, Oliver S. Frick, Thomas M. Dungan, Levi Leidy, Oliver G. Morris and Joseph Landis, and all and every other person or persons who hereafter may become members of this association, according to the terms of this constitution, are hereby created into a body politic and corporate, in deed and in law, by the name, style and title of the Line Lexington seminary association, and by that name, style and title to have perpetual succession, and to be able and capable to sue and be sued, to implead and be impleaded in any court of law or elsewhere, and shall be able to receive, take, have, hold and enjoy, to them and their successors, for the use of said association, any estate in lands, messuages, tenements and hereditaments, goods, chattels, moneys or effects of what nature soever, by gift, grant, bargain, sale, assurance, devise or bequest from any body corporate or person whatsoever, and the same or any part thereof to sell or dispose of at pleasure; and to make, have and use a common seal, and to break, alter and renew the same at pleasure, and generally to do all and every other matter or thing, which any corporation or body politic lawfully may or can do, to carry into effect the object and purposes hereinafter set forth.
- Name.**
- Privileges.**
- Seal.**
- Capital stock.** **SECTION 2.** That the capital stock of said association shall consist of any number of shares, not exceeding six hundred, at five dollars per share.
- Election of managers.** **SECTION 3.** That the affairs of said association shall be vested in five managers, who shall be chosen by ballot, annually, on the first Monday in December in each and every year; said election to be conducted by three judges, who shall be appointed by the members present, from among their own number, who shall certify under their hands the result of said election, to be filed with the papers of the association; and each member shall be entitled to one vote for each and every share by him held; and R. Stoneback, C. Todd Jenkins, Michael Snyder, Jonathan Mattis and Philip Sellers are hereby appointed managers of said association, to hold said office until the ensuing annual election.
- Managers to continue until election.**
- Officers.** **SECTION 4.** That the managers for the time being shall choose, from among their own number, one to be president, and also from time to time, appoint a secretary and treasurer, and such other officers and agents as may be necessary and the interests of the association may require, and require such bonds for the
- Bonds.**

respective duties assigned, them as in their judgment may be proper or the interests of the association may require; all vacancies that may happen, in the board, from death, resignation or otherwise, shall be filled by appointment by the remaining ones, to continue until the next election. Vacancies.

SECTION 5. That the president and managers of said association shall have full power to manage the affairs of said association generally, to fix the times and places for the payment of instalments by the stockholders, to purchase real estate in Line Lexington, or its vicinity, in Montgomery county, and erect thereon suitable buildings for a seminary, the first floor of which shall be used for a school room, the second floor to be used for religious services, debates, lectures and exhibitions, on all moral and scientific subjects, all immoral exhibitions to be strictly prohibited; the said property to be held by the stockholders of said association, and to be enjoyed by them according to the amount of their respective shares of stock; the profits of the same, from rents and receipts of whatsoever kind or nature, to be annually accounted for; and dividends of so much of the profits of the association as shall appear advisable by the board of managers, shall be declared and paid to the stockholders in proportion to the shares by them held, on demand, at any time after the expiration of thirty days from the time such dividend is declared. Powers of president and managers.  
Dividends.

SECTION 6. That it shall be the duty of the secretary to keep accurate minutes of the proceedings of the board of managers and of the meetings of the stockholders, attest all orders issued by the said board, and exhibit, at each meeting of the board of managers, a correct statement of the financial condition of the association, and shall do and perform such other duties as may be required of him by the board of managers. Duties of secretary.

SECTION 7. That it shall be the duty of the treasurer to receive all moneys due the association, pay all orders drawn by the board of managers, signed by the president and attested by the secretary, and not otherwise; he shall keep correct accounts of all moneys received and paid by him, and at every meeting of the board of managers he shall exhibit a balance sheet; he shall have his books present at every meeting of the stockholders, which shall, at all times, be open to the inspection of any member of the association. Treasurer.

SECTION 8. That special meetings may be called at any time by the board of managers, or at the request of twenty members, by giving at least ten days notice of such special meeting, in the manner that may be directed in the by-laws; but in any such call for a special meeting, the business intended to be laid before said meeting shall be stated in the call, and such business only shall be transacted at such meeting. Special meetings

SECTION 9. That the members of the association, at their stated or special meetings, shall have full power to make, ordain and put in force, all such by-laws, rules, regulations and ordinances as shall be necessary for the well government of this association, not inconsistent with the constitution and laws of the United States or of this commonwealth, nor with these articles of association. By-laws.

**SECTION 10.** That this act shall not be subject to the payment of an enrolment tax to the commonwealth.

Exempt from  
payment of en-  
rolment tax.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 586.

## SUPPLEMENT

To an act incorporating the Reading and Columbia Railroad Company.

Additional privi-  
leges granted as  
to connections  
and the construc-  
tion of branch  
roads authorized

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Reading and Columbia railroad company, authorized to make and construct a railroad as per charter granted to them under the act of incorporation, approved the nineteenth day of May, Anno Domini one thousand eight hundred and fifty-seven, and supplement thereto, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-eight, which said railroad is now under contract for construction, be authorized and have the right to connect said railroad with the Lebanon Valley railroad, at any point between Sinking Springs and the city of Reading, instead of starting said railroad at the city of Reading, as in said act of incorporation provided; and further, that said company, after the completion of said railroad, from the city of Reading, or from a point on the Lebanon Valley railroad, between Sinking Springs and the city of Reading, to Columbia, have the right and authority to make and construct branch railroads, to connect with the Philadelphia and Columbia railroad, at or near the city of Lancaster, and to connect with the Cornwall railroad, in Lebanon county, at or near the Cornwall ore banks.

Damages.

**SECTION 2.** That in all cases where the said company and the owners of land and materials cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond, with sufficient security to the party claiming damages, the condition of which shall be, that the company will pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed on by the parties, or assessed according to law: *Provided,*

That in case the party or parties claiming damages, refuse to *Provide.* accept the bond or bonds tendered by the said company, may, in such case present their bond or bonds to the court of common pleas of the proper county, or to any one of the judges thereof, and if the said court, or any one of the judges thereof, approve the security, they shall direct the said bond or bonds to be filed in the prothonotary's office of said court, for the benefit of those interested; whereupon the said company may enter upon or take possession of such land or materials.

SECTION 3. That the said company are hereby authorized to connect their road with any railroad which is now or may be hereafter constructed at either end of said route; and it may be lawful for said company to construct branch or lateral rail-roads within the counties of Berks and Lancaster: *Provided,* That such branch or lateral railroad shall not in any case exceed six miles in length. *May connect with roads at either end of route. Lateral roads.*

SECTION 4. That in all cases in which the owners of lands and materials are minors, it shall and may be lawful for the guardians of such owners and the said company, amicably to adjust the amount of damages to be paid; if they can agree, and on payment of the amount it shall be lawful for such guardians to release said company from all claims therefor, and to execute all necessary papers in the premises; in case the said parties cannot agree, the said company may proceed as is provided in the fourth section of this act. *Guardians may adjust damages, &c.*

SECTION 5. That whenever four miles or more of said road, in any section or sections, shall be completed, the said company may use and enjoy the same as fully and with the same powers and privileges as if the whole route was completed. *When company to enjoy chartered privileges.*

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 587.

## AN ACT

To authorize the Controllers of the First School District of Pennsylvania to sell certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Sale authorized.** the controllers of the public schools of the First school district of the state of Pennsylvania, are hereby authorized to sell at either public or private sale, for a sum not less than fifteen thousand dollars, the lot of ground upon which the Munroe school, with its appurtenances, stands, situate on the south side of Buttonwood street and east of Eleventh street, in the Fourteenth ward, in the city of Philadelphia, containing in front on said Buttonwood street, eighty (80) feet, and extending in length or depth to Pleasant or ——— street, at right angles with Buttonwood street, one hundred and fifty-nine feet eleven inches and five-eighths of an inch; and the said controllers of said first district are hereby directed, with the proceeds of said sale, to build within said Fourteenth ward, in the same manner and for like purposes as is now used and employed in said Munroe school house.

**Description of property.**

**School house to be built with proceeds.**

**Proceeds not to merge in sinking fund of Philadelphia.**

SECTION 2. That the proceeds of sale of said lot of ground now occupied by the said Munroe school house, shall be appropriated as hereinbefore directed, and the same shall not merge or become invested in the sinking fund of the said city of Philadelphia, as is now by law directed upon the sale of any of the real estate of said city, as proposed by the act of the second of February, Anno Domini one thousand eight hundred and fifty-four, entitled "An Act to consolidate the city of Philadelphia," and the several supplements thereto.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 588.

## A FURTHER SUPPLEMENT

To an act to incorporate the Lycoming County Mutual Insurance Company, passed March twenty, Anno Domini one thousand eight hundred and forty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall be lawful for the Lycoming County mutual insurance company to make insurances on property of every class or description already included in their act of incorporation, according to their discretion, for which cash premiums only shall be received, and for any term which may be agreed

upon ; the sums thus received, to be paid into the common treasury of the company ; in consideration thereof, said company to be responsible for all losses accruing to property thus insured, according to the terms of their policies ; insurances thus effected shall not entitle the insured to membership in said company, nor subject them to the payment of assessments.

SECTION 2. That it shall be lawful, in addition to the mode indicated under the fifth section of the act to which this is a supplement, for said company to employ and improve all moneys received by them, and the profits thereof, in the purchase of any ground rents or mortgages, or in any loans on good and sufficient security or bank stocks, stocks of the United States or of this commonwealth ; and no money shall be drawn from the funds of the said company for the purpose of making dividends or dividing profits, nor for any other purpose than to defray the current or incidental expenses of the corporation, and such loss or damage as any member of said company, or insurer, may be justly entitled to.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 589.

## A N A C T

To incorporate the Shawmut and Ridgway Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Souther, Samuel M. Lawrence, Henry C. Carey, John Tucker, William S. Eaton, Joseph A. Veazie, Charles E. Bowers, William Reed, John S. Tyler, William R. Payne, Elisha A. Packer, Samuel L. French and Ezra Forristoll, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Shawmut and Ridgway railroad company, with power to construct a railroad from a point on and connecting with the Sunbury and Erie railroad, at or near Route. the town of Ridgway, in the county of Elk, and thence by Mead's run, or by such route as the directors of the said the Shawmut and Ridgway railroad company may deem most ex-  
Commissioners.



May connect with other roads and construct branches.	pedient, to any point or points in the coal fields of said county of Elk, and to connect with any other railroad now existing or hereafter to be built in said county, with power also to construct lateral roads or branches, not exceeding five miles in length, from any point on the line of said road; such lateral branches to be subject to all the conditions and restrictions provided by this act for the building and construction of the main road.
Subject to.	
Capital stock.	SECTION 2. That the capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, which the company may, by a vote of the stockholders, at a meeting called for that purpose, increase to an amount not exceeding three hundred thousand dollars; or the said company may, in lieu of said increase of capital stock for the purpose of completing and equipping the said railroad and branches authorized by this act, borrow money to an amount not exceeding three hundred thousand dollars, and issue bonds therefor, with or without coupons, bearing interest not exceeding seven per centum per annum, and to mortgage, as security therefor, all the corporate rights, franchises, property, real and personal, of whatever kind soever, belonging to said company: <i>Provided</i> , That no bond shall be issued for a less sum than one hundred dollars, and that the total amount of capital stock and bond shall not exceed five hundred thousand dollars.
Power to increase.	
May borrow money and issue bonds.	
Provide.	
Corporations may subscribe to stock or purchase bonds.	SECTION 3. That it shall and may be lawful for any corporation or corporations to subscribe to the capital stock or purchase the bonds of the said the Shawmut and Ridgway railroad company, and to receive, hold and dispose of the same in the same manner as other property belonging to such corporations.
Interest to stockholders.	SECTION 4. That the directors of said company are hereby authorized to pay to the stockholders entitled to receive the same, interest at the rate of six per centum per annum, on all instalments paid by them, until the work is completed and in operation, which interest shall be charged at the cost of the road; and the stock of said road shall not be subject to tax in consequence of said payment of interest.
Damages.	SECTION 5. That in all cases where the said company and the owners of land and materials cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be that the company will pay, or cause to be paid, such amount of damage as the party shall be entitled to receive, after the same shall have been agreed on by the parties or assessed according to law: <i>Provided</i> , That in case the party or parties claiming damages refuse to accept the bonds tendered by the said company, the said company may, in such case, present their bond or bonds to the court of common pleas of the proper county, or to any one of the judges thereof, and if the said court, or any one of the judges thereof, approve the security, they shall direct the said bond or bonds to be filed in the prothonotary's office of the said court, for the benefit of those interested; whereupon, the company may enter upon or take possession of such land or materials.
Provide.	

**SECTION 6.** That the said company shall be entitled to all the privileges and subject to all the restrictions imposed by an act, entitled "An Act regulating railroads," approved the ninth day of February, one thousand eight hundred and forty-nine, except the eighteenth section thereof, and so far as otherwise provided in this act. Subject to provisions of act of February 9th, 1849.  
Exception.

**SECTION 7.** That if the said company shall not commence their road within one year, or complete the same within four years from and after the passage of this act, then the same shall be null and void, except so far as the same may be necessary to settle up the affairs and pay the debts of said company. When to commence and complete road.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 590.

## AN ACT

Authorizing the re-examination of the Claims of Sherman Bills and George D. Foreman, against the Commonwealth.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, attorney general and state treasurer be and they are hereby authorized to examine the claims of Sherman Bills and George D. Foreman, for work done on dam number five, and lock number eleven, of the Beaver division of the Pennsylvania canal, and report the same to this or the next legislature.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

May connect with other roads and construct branches.

Subject to.

Capital stock.

Power to increase

May borrow money and issue bonds.

Proviso.

Corporations may subscribe to stock or purchase bonds.

Interest to stockholders.

Damages.

Proviso.

pedient, to any point or points in the coal fields of said county of Elk, and to connect with any other railroad now existing or hereafter to be built in said county, with power also to construct lateral roads or branches, not exceeding five miles in length, from any point on the line of said road; such lateral branches to be subject to all the conditions and restrictions provided by this act for the building and construction of the main road.

SECTION 2. That the capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, which the company may, by a vote of the stockholders, at a meeting called for that purpose, increase to an amount not exceeding three hundred thousand dollars; or the said company may, in lieu of said increase of capital stock, for the purpose of completing and equipping the said railroad and branches authorized by this act, borrow money to an amount not exceeding three hundred thousand dollars, and issue bonds therefor, with or without coupons, bearing interest not exceeding seven per centum per annum, and to mortgage, as security therefor, all the corporate rights, franchises, property, real and personal, of whatever kind soever, belonging to said company: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, and that the total amount of capital stock and bond shall not exceed five hundred thousand dollars.

SECTION 3. That it shall and may be lawful for any corporation or corporations to subscribe to the capital stock or purchase the bonds of the said the Shawmut and Ridgway railroad company, and to receive, hold and dispose of the same in the same manner as other property belonging to such corporations.

SECTION 4. That the directors of said company are hereby authorized to pay to the stockholders entitled to receive the same, interest at the rate of six per centum per annum, on all instalments paid by them, until the work is completed and in operation, which interest shall be charged at the cost of the road; and the stock of said road shall not be subject to tax in consequence of said payment of interest.

SECTION 5. That in all cases where the said company and the owners of land and materials cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be that the company will pay, or cause to be paid, such amount of damage as the party shall be entitled to receive, after the same shall have been agreed on by the parties or assessed according to law: *Provided*, That in case the party or parties claiming damages refuse to accept the bonds tendered by the said company, the said company may, in such case, present their bond or bonds to the court of common pleas of the proper county, or to any one of the judges thereof, and if the said court, or any one of the judges thereof, approve the security, they shall direct the said bond or bonds to be filed in the prothonotary's office of the said court, for the benefit of those interested; whereupon, the company may enter upon or take possession of such land or materials.

**SECTION 6.** That the said company shall be entitled to all the Subject to provisions of act of  
privileges and subject to all the restrictions imposed by an act, February 9th, 1849.  
entitled "An Act regulating railroads," approved the ninth day  
of February, one thousand eight hundred and forty-nine, except  
the eighteenth section thereof, and so far as otherwise provided Exception.  
in this act.

**SECTION 7.** That if the said company shall not commence When to com-  
their road within one year, or complete the same within four mence and com-  
years from and after the passage of this act, then the same plete road.  
shall be null and void, except so far as the same may be neces-  
sary to settle up the affairs and pay the debts of said company.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The first day of May, Anno Domini one thousand  
eight hundred and sixty-one.

A. G. CURTIN.

No. 590.

## AN ACT

Authorizing the re-examination of the Claims of Sherman Bills and George  
D. Foreman, against the Commonwealth.

**SECTION 1.** *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assembly  
met, and it is hereby enacted by the authority of the same,* That  
the auditor general, attorney general and state treasurer be and  
they are hereby authorized to examine the claims of Sherman  
Bills and George D. Foreman, for work done on dam number  
five, and lock number eleven, of the Beaver division of the Penn-  
sylvania canal, and report the same to this or the next legisla-  
ture.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The first day of May, Anno Domini one thousand  
eight hundred and sixty-one.

A. G. CURTIN.

No. 591.

## AN ACT

For the erection of a Public Ferry across the Allegheny river, in Deerfield township, Warren county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Ferry authorized** for the period of twenty years from the passage of this act, A. R. Titus, his heirs and assigns, shall have the right and privilege, at his or their own expense, to make good and convenient landings on each side of the Allegheny river, at the places now occupied by said Titus for that purpose, in Warren county, and to use the river between said landings as a public ferry, and also the right and privilege of erecting posts on any land or lands contiguous to or adjoining said lands, and to extend therefrom and across said Allegheny river a chain or wire, in order to facilitate the crossing of said stream: *Provided, That the said chain or wire shall be so extended as not to interfere with or obstruct the ascent or descent of crafts navigating said river: Provided, That the said A. R. Titus, his heirs and assigns, shall pay to the owner or owners of said land or lands, on which the before mentioned posts may be erected, all damages which may accrue to said owner or owners in consequence thereof; which said damages, if they cannot be amicably arranged, shall be assessed by a jury of three persons, appointed by the court of quarter sessions of Warren county, and their report and proceedings shall be the same, in every respect, as in the case of opening roads under existing laws.*

**Proviso.**

**Damages.**

**To be kept in good order.**

**SECTION 2.** That the said A. R. Titus, his heirs and assigns, shall keep the said ferry in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all descriptions, and keep good and sufficient boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams, carriages, and others, across the river with all reasonable diligence and care.

**Rates of charges.**

**SECTION 3.** That the said A. R. Titus, his heirs and assigns, for keeping and maintaining the said landing and ferry, as aforesaid, shall receive compensation from persons passing over said river, at said ferry, at the following rates, to wit: For each foot person, five cents; for each person and horse, ten cents; for each one-horse carriage, fifteen cents; for each two-horse carriage or wagon, twenty-five cents; for each four-horse wagon, thirty-five cents; for each additional horse, five cents; for each yoke of oxen, ten cents; and for each head of horned or neat cattle, led or driven, three cents; for each head of sheep or swine, led or driven, one cent.

**Penalty for injuries to property.**

**SECTION 4.** That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any chain,

wire or boat, or other property, or shall take from its moorings any craft or boat belonging to said ferry, he, she or they so offending, shall each of them forfeit and pay to the said A. R. Titus, his heirs and assigns, to be recovered as debts of like amount are recoverable, the sum of twenty-five dollars, in addition to all damages sustained by the said A. R. Titus, his heirs and assigns.

SECTION 5. That all other persons are hereby prohibited from *Prohibition.* using the said river, for the purpose of a ferry, within three-fourths of a mile above and three-fourths of a mile below the said ferry; and any person or persons violating the provisions of this act, shall forfeit and pay to the said A. R. Titus, his heirs and assigns, the sum of one dollar for each and every traveler, team, head of cattle, horse or carriage carried over the river within the above named bounds: *Provided, That nothing* *Proviso.* in this act contained shall be construed to prevent persons owning the shore on both sides of the river within said limits, from transporting persons and property up and down said river free of charge.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 592.

## A FURTHER SUPPLEMENT

To an act relating to the Lewisburg and Mifflinburg Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter, when the Lewisburg and Mifflinburg turnpike shall not be kept in proper repair, any person aggrieved thereby may make complaint by petition, under oath, to the court of quarter sessions; and if the persons having care of the road, shall not within thirty days after notice issued from said court and duly sworn, make the necessary repairs, a bill of indictment shall be prepared against such delinquent, in the same manner as now allowed by law against township supervisors.

*Remedy when road is not kept in repair.*

SECTION 2. That so much of the act relating to said turnpike road, as authorizes proceedings before justices of the peace, in case the turnpike road is not in proper repair, and all other

*Repeal of act authorizing proceedings before justices.*

laws inconsistent with the preceding section, be and the same is hereby repealed.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 593.

## AN ACT

To incorporate the Philadelphia Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Frederick G. Wolbert, Thomas Sparks, Peter Lamb, junior, William C. Stevenson and Luke W. Duffle, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the name and style of the Philadelphia market company, with a capital stock of four hundred thousand dollars, divided into eight thousand shares of fifty dollars each, to be issued in whole or in part as common and preferred stock, in such manner, upon such terms, and with such limitations and provisions as to the said corporation may seem advisable; and the said the Philadelphia market company shall have and enjoy all the rights, privileges and immunities, and be subject to all the liabilities and restrictions contained in an act, entitled "An Act to incorporate the Western market company," approved the fourth day of February, Anno Domini one thousand eight hundred and fifty-nine, not inconsistent herewith, and shall be located between South and Market streets, and between Third and Tenth streets.*

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 594.

## AN ACT

Supplementary to a supplement to the act of Consolidation of the city of Philadelphia, passed the twenty-first day of April, one thousand eight hundred and fifty-five.

**WHEREAS**, The construction of culverts is necessary for the drainage of extended neighborhoods, and confers no especial advantage upon the property upon the street culverted; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act of twenty-first April, one thousand eight hundred and fifty-five, or of any other act of assembly, as authorizes the city of Philadelphia to levy a tax or charge for constructing culverts upon the property fronting upon the street so culverted, be and the same hereby is repealed; and the expense of the construction of culverts shall be paid out of the general taxation: Provided, That nothing in this act shall be so construed as to interfere with the councils of the city of Philadelphia passing such ordinances as they deem expedient relative to inlets opening from private property into such culverts.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 595.

## AN ACT

Relative to a certain Burial Ground in Allegheny city.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the select and common councils of the city of Allegheny be and they are hereby authorized to cause to be disinterred and removed, the bodies of dead persons buried in the grave yard*



situated on the south and west commons of said city, and to cause to same to be properly and carefully buried in one of the public cemeteries of the county of Allegheny: *Provided*, That the monuments and grave stones, designating the graves in said burial ground, shall be placed upon the corresponding graves in such cemetery: *And provided further*, That before proceeding to such removal, the said councils shall publish notice of the same, in two papers published in the city of Pittsburg, for at least thirty days.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 596.

### A N A C T

To repeal an act declaring Kersey run, in Elk county, Laurel run, in Clearfield and Elk counties, Public Highways, and also to repeal an act to declare Medic's run, in Clearfield and Elk counties, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the following acts of assembly, to wit: an act declaring Kersey run, in Elk county, and Laurel run, in Clearfield and Elk counties, public highways, approved March sixth, one thousand eight hundred and sixty; an act to declare Medic's run, in Clearfield and Elk counties, a public highway, approved the twenty-third day of March, one thousand eight hundred and sixty, be and the same are hereby repealed.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 597.

A N A C T

To declare Salt run, in Cameron county, a Public Highway.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Salt run, (as far as the forks of said stream,) in Cameron county, be and the same is hereby declared to be a public highway, for the passage of rafts and logs.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 598.

A N A C T

To vacate certain portions of Thompson street, in the city of Philadelphia.

**WHEREAS,** The owners of property between Ann and Somerset streets, on both sides of Thompson street, (formerly Duke street,) in the Nineteenth ward of the city of Philadelphia, by reason of the sixth section of an act of the assembly of Pennsylvania, entitled "An Act in relation to the districts of Richmond, Kensington and Penn, in the county of Philadelphia," approved the twenty-ninth day of January, one thousand eight hundred and fifty, have heretofore dedicated to the public use so much of their lands, on both sides of said Thompson street, as under said act was required to widen said Thompson street from fifty feet to the width of one hundred feet, in order to give space for the erection of a market house in the centre of said Thompson street:

*And whereas,* The market house authorized by said act to be built on said street, has been since elsewhere erected, and the object of said act and the dedication thereunder has failed; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly*

## LAWS OF PENNSYLVANIA,

*met, and it is hereby enacted by the authority of the same, That the sixth section of the aforesaid act of assembly be and the same is hereby repealed, and that so much and such parts of the land between Ann and Somerset streets, as has been dedicated or intended by said act to be given or dedicated for public use, is hereby vacated, so that the said Thompson street be reduced to its original width of fifty feet ; and that the said vacated land is hereby vested in fee in the adjoining owners, according to their respective fronts on both sides of said Thompson street.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 599.

## SUPPLEMENT

To an act to authorize the appointment of an Auctioneer in Johnstown, Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That if any person, not commissioned and authorized in accordance with the act to which this is a supplement, shall, after the passage hereof, in any manner, use or exercise the business or occupation of an auctioneer within the limits of the borough of Johnstown, he shall, upon conviction thereof, for every such offence, forfeit and pay not less than one hundred nor more than three hundred dollars, to be recovered in any court having jurisdiction thereof, as debts are by law recoverable, one-half for the use of the commonwealth, and the other half for the use of the party suing for the same.*

ELISHA W. DAVIS,

*Speaker of House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

Directors, shall be complied with by giving two weeks notice of such election, in one newspaper published in the county of Elk, and one daily newspaper published in the city of Philadelphia.

SECTION 2. That the legislature reserves the right to alter, amend or annul this charter at any time hereafter: *Provided*, That no injustice be done the corporators. Reservation.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 603.

## A N A C T

To extend the provisions of an act for the protection of Sheep and taxing of Dogs, in the county of Blair, to the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act for the protection of sheep and taxing of dogs in the county of Blair," approved the twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven, be and the same are hereby extended to the county of Cambria.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 604.

## A SUPPLEMENT

To an act giving the assent of this Commonwealth to the act of the Legislature of New Jersey, entitled "An Act to incorporate the Columbia Delaware Bridge Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William M'Miller, Francis Hugerman and Nelson Labar, be and they are hereby appointed commissioners in the place of those named in the second section of the act giving the assent of this commonwealth to the act of the legislature of New Jersey, entitled "An Act to incorporate the Columbia Delaware bridge company," approved twenty-fourth of June, one thousand eight hundred and thirty-nine.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 605.

## SUPPLEMENT

To the act incorporating the Perrysville, East Waterford and Waterford Plank Road Company, approved eighteenth April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name be changed to the Perrysville turnpike company.

SECTION 2. That said company shall be authorized to use plank, stone or gravel, in the construction of their road, as they may deem most advantageous.

SECTION 3. That the time for commencing said road is hereby extended three years from the date of this act.

Change of name.

May use plank,  
stone or gravel.

When to be com-  
menced.

**SECTION 4.** That said company shall have power to construct Branch roads. Branch roads if they may desire.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate pro tem.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 606.

## A N A C T

To authorize the Erection of a New School District from portions of the townships of North Moreland and Eaton, in the county of Wyoming.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that portion of the townships of North Moreland and Eaton, in the county of Wyoming, hereinafter described, shall be and hereby is erected into a new and independent school district, to wit: Beginning at the Susquehanna river, at the dividing line of North Moreland and Exeter township, and running a westerly course along said dividing line of said township, so as to include all real estate of Forbes L. Whitlock and E. Cary, to what is called Swartwart creek; and thence up said creek to a certain branch; thence along the south branch of said creek on line of lands of Alonzo Jackson; and thence running a south-west course so as to include all the real estate of said Alonzo Jackson, Albert Hallack, Benjamin Culver and Isaac B. Story; thence north-westerly course so as to include all the real estate of Isaac B. Story, Samuel Story, John Story and Milo Keeler, and also all the real estate of Heister and Milo Keeler, lying and being in the townships of North Moreland and Eaton, including their two Vantyle tracts and Wheelock's, in this district on line only; thence along the west line of Alexander Vantyle and Wellington Lee's lands, including said Vantyle and Lee's real estate, and also all estate of John Lee; thence a south-easterly course to Solomon White's ferry, on the west side of the Susquehanna river; thence down said river to the place of beginning, including all persons and real estate within said boundaries, and that the same be called Keelersburg, with all the rights and privileges that other school districts now or may hereafter be entitled to, under the school laws of this commonwealth; and that the qualified voters embraced within the

boundaries of said district, on the second Saturday of May, one thousand eight hundred and sixty-one, at the school house in said district, elect six school directors, two to serve one year, two to serve two years, and two to serve three years; and annually thereafter, on the second Saturday of May, that an election be held to elect two school directors for said district, to serve three years each; and that Forbes L. Whitlock be and is hereby authorized to act as judge, and John Lee and Milo Keeler, inspectors, to hold and conduct said election as other elections for township officers are conducted; and at the holding said first election, that said qualified voters elect judge and inspectors, for the next ensuing election; and each and every year thereafter, said qualified voters elect a judge and two inspectors of said election; and that said judge and inspectors be required to give at least five days public notice of the time and place of holding said election, by written or printed handbills, put up in three most public places in said district; and that the township assessors, in each and every year, at the time of making assessments for state and county purposes, be required, in a separate book for that purpose, to assess all property subject to tax under the school laws of this commonwealth, and to furnish to said school directors a certified copy of the same, for the use of said district; and that all taxes now due and unpaid within said proposed district, or that may become due, be paid over to said proposed district.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 607.

## AN ACT

Relating to the Road Laws of the county of M'Kean.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all acts and proceedings of the supervisors of the several townships in the county of M'Kean, elected for the year one thousand eight hundred and sixty, and all appointments of road viewers made by the court of quarter sessions of said county, and all reports of such viewers, which have been or may hereafter be approved by said court, and all orders and decrees of said court

Supervisors and  
road viewers,  
relative to.

relating to the roads in said county, or to the assessments of special taxes to pay debts of any of the townships, are hereby confirmed and made valid and effectual to all intents and purposes as though the act of April second, one thousand eight hundred and sixty, relating to the road laws of M'Kean and Tioga counties, had not been passed.

SECTION 2. That the road commissioners elected at the last township election in the county of M'Kean, and who may hereafter be elected in said county, shall be overseers of the poor in and for their respective townships, and shall perform all the duties and possess all the powers pertaining to said office of overseers of the poor in said townships respectively.

Road commissioners to act as overseers of the poor.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 608.

## A SUPPLEMENT

To the act incorporating the German Hospital of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That every person elected by ballot by a majority of the corporators present and contributing five dollars, and paying annually the sum of three dollars, shall be entitled to vote and to all the rights of a contributor, as long as he shall pay his annual contribution; every person elected as aforesaid and contributing at any one time not less than fifty dollars, shall have the same rights and privileges, and be thereby constituted a life member; every contributor of one thousand dollars shall be entitled to have one patient constantly in the wards, on his or her recommendation, and be a life member; every citizen above the age of twenty-one years, making the contributions herein provided for, and speaking the German language, shall be eligible as a manager.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 609.

## A N A C T

For the relief of T. H. Martin, late Treasurer of Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditors of the county of Venango, at their next annual meeting, be and they are hereby authorized and required to re-audit and adjust the accounts of T. H. Martin, late treasurer of said county, and upon such settlement, should any balance be found due the said T. H. Martin, the commissioners of said county are authorized and required to draw their warrant in favor of T. H. Martin, aforesaid, upon the treasurer of the said county, for the same.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 610.

## A N A C T

To prevent Catching Fish in Slipperyrock creek, in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be unlawful for any person or persons to take or catch fish in the waters of Slipperyrock creek, in Butler county, by hook, seine, basket or otherwise, in the months of May and June in every year.

Fishing prohib-  
ed in certain  
months.

Penalty.

SECTION 2. If any person shall violate the provision of the first section of this act, he shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, before any justice of the peace of said county, forfeit and pay the sum of ten dollars

for each and every such offence, for the use of the school district in which such offence may have been committed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 611.

## AN ACT

To define the Location and Boundaries of certain Lanes, Streets and Out Lots adjacent to the city of Erie.

WHEREAS, Doubts have existed as to the width of South street, Preamble.  
in the township of Millcreek, in the county of Erie, from Parade street eastward to East lane, between out-lots numbered one, (1,) four, (4,) five, (5,) eight, (8,) nine, (9,) twelve, (12,) five hundred and ninety-four, (594,) five hundred and ninety-five, (595,) five hundred and ninety-eight, (598,) five hundred and ninety-nine, (599,) six hundred and two, (602,) and six hundred and three, (603,) and also as to the width of Beach lane and Ash lane from South street southward:

*And whereas,* The parties interested have agreed that the said street and lanes shall be established, opened and maintained on the ground and of the widths respectively hereinafter set forth; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That South street, from Parade street eastward to East lane, shall be opened by the road commissioners of the township of Millcreek to the width of fifty feet, taking the centre of South street, as at present surveyed, as the centre of said street. South street, how to be opened.

SECTION 2. That Beach lane and Ash lane shall be opened by the said commissioners to the width of thirty feet from South street to the south line of the out-lots lying and being south of South street, and if, upon measurement had lengthwise of South street between the west line of East lane and the east line of Parade street, it be ascertained that the length of line, exclusive of the aggregate width of Ash lane and Beach lane as aforesaid, exceeds the aggregate length of line of the out-lots as aforesaid, Beach and Ash lanes.

according to the original survey of the out-lots adjoining and south of South street, then the road commissioners aforesaid shall apportion such excess equally to the widening of Beach lane and Ash lane respectively, southward of South street, in such manner as to give to each and every out-lot aforesaid its exact measurement in length, as specified in the original survey along the south line of South street.

To be public  
highways.

SECTION 3. That South street, Beach lane and Ash lane, as thus located and established, are hereby declared to be permanent public highways; that the boundaries of the street and lanes, aforesaid, severally, shall be the proper boundaries respectively of the lots and lands adjoining thereto, or any of them; and that all laws heretofore enacted which may be hereby altered, and all laws and parts of laws inconsistent herewith, be and the same are hereby repealed.

Repeal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 612.

## AN ACT

To repeal so much of the fourth section of an act, approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine, incorporating the borough of Schuylkill Haven, as relates to the Election of Supervisor.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fourth section of an act, approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine, to repeal former acts relating to the borough of Schuylkill Haven, in the county of Schuylkill, and extending the general features of an act regulating boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, of said borough, as relates to the election of supervisor, be and the same is hereby repealed.

Supervisor, how  
appointed.

SECTION 2. That hereafter the supervisor of said borough shall be appointed according to the provisions of an act regulating

boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 613.

# AN ACT

Authorizing the borough of Warren and the township of South-West, in Warren county, to levy an additional Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate officers of the borough of Warren, in the county of Warren, are hereby authorized to levy and collect a tax in addition to the tax now authorized by law, not exceeding five mills on the dollar of the valuation assessed for county purposes, for a period not exceeding three years, for the purpose of the purchase of an additional fire engine and the necessary hose, for the use of said borough; and the road commissioners of South-West township, in said county of Warren, are hereby authorized to levy and collect a road tax in addition to the road tax now authorized by law, not exceeding ten mills on the dollar for the ensuing year.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 614.

## A SUPPLEMENT

To an act incorporating the Glen Hope and Independence Plank Road and Turnpike Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Name changed. the corporate name and title of the Glen Hope and Independence plank road and turnpike company, in Clearfield county, incorporated twenty-fourth day of April, one thousand eight hundred and fifty-seven, be and hereby is changed to that of Madera and Osceola plank road and turnpike company.

**SECTION 2.** That the capital stock of said company shall be reduced to eight thousand dollars, with the privilege to increase the same to fifteen thousand dollars, and that it shall be lawful for them to pay interest not exceeding ten per cent. per annum, on all moneys paid in as stock before the completion of said road, and after its completion add the amount thus paid to the Capital stock. May issue bonds. capital stock; and further, that said company shall have the power to issue bonds to the amount of six thousand dollars, for the final completion of said road.

**SECTION 3.** That the rights, liberties and powers conferred upon said corporation by the act of the general assembly of the commonwealth of Pennsylvania, to which this act is supplementary, shall remain and continue unimpaired, except in so far as the same may be modified or affected by the provisions of this Act of incorporation, relative to. act.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 615.

## AN ACT

To incorporate the North American Oil Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

David Alter, William F. Johnston, John L. Russell, Robert Robb, Commissioners.  
George Ogden, junior, Thomas MacConnell, John Harper, John Graham and James O'Harra, or a majority of them, be and they are hereby appointed commissioners to open books of subscription in the city of Pittsburg, after giving not less than ten days notice of time and place, in one or more newspapers published in said city, for the purpose of receiving subscriptions to and organizing a company under the name, style and title of the North American oil company; which company shall have power to take and hold lands and real estate in the counties of Westmoreland and Armstrong, not exceeding in quantity, at any one time, five hundred acres, and to mine, prepare for market, sell and dispose of any cannel and bituminous coal, iron ores and other minerals or products of their lands, and to manufacture lubricating and illuminating oils, iron or other products of their minerals or lands, and to convey the same to market, and to grant leases of said lands or any portions thereof.

SECTION 2. That the capital stock of said company shall be two hundred thousand dollars, divided into ten thousand shares of twenty dollars each; and the said company is hereby declared and made capable in law to sue and be sued, implead and be impleaded; to have a common seal, and the same to alter at pleasure; to sell and convey their real estate, and to purchase, hold and sell such personal property as may be necessary to promote the objects of the corporation.

SECTION 3. That the affairs of said company shall be managed by a board of not less than five nor more than nine directors, one of whom shall be the president, who shall be designated by the stockholders; the first election shall be held within sixty days after this charter shall take effect, of which election public notice shall be given at least two weeks in one newspaper published in the city of Pittsburg, and subsequent elections at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock, on which all required instalments shall be paid, shall entitle the holder thereof to one vote, either in person or by proxy: *Provided*, That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly chosen; and in case of resignation or death of the president or any director, the remaining directors shall elect a person to serve until their successors are duly chosen.

SECTION 4. That the stock of said company shall be transferable agreeably to the by-laws which may be adopted by the directors, and that dividends may be declared and paid whenever the directors deem it advisable; but said dividends shall in no case exceed the amount of actual net profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation, in their individual capacities, for the excess so divided and paid; and the said company shall pay into the state treasury a bonus of two and one-half per cent. on the capital stock hereby authorized, in three equal annual instalments, in lieu of any and all taxes upon dividends,

the first of which instalments shall be paid within one year from the date of the issue of letters patent herein provided for.

When act to take effect.

SECTION 5. That this act shall not take full effect until one thousand shares shall have been subscribed for and at least one half of that amount have been actually paid for in cash, and which a statement, containing the names of the subscribers and the amount subscribed for by each, shall be given to the governor to be filed in the office of the secretary of the commonwealth, whereupon the governor shall issue letters patent to the said subscribers as corporators, under the name, style and title aforesaid.

May issue bonds.

SECTION 6. The said corporation may issue bonds, bearing a rate of interest not exceeding ten per centum per annum, with or without a clause making them convertible into the stock of the company, at the option of the holder, and with power to sell the said bonds at their market value, notwithstanding said market value may be less than par; and which bonds may be secured by mortgage of the property and franchises of the company; but no bond shall be issued for a less sum than one hundred dollars.

Sale of.

How secured.

Individual liability.

SECTION 7. That the stockholders of said company shall be individually liable, jointly and severally, for debts due to mechanics, workmen and laborers employed by said company, and for country produce furnished for said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be held individually liable for any such debt, unless the same be sued for within six months after they become due.

proviso.

Reservation.

Limitation.

SECTION 8. That the legislature hereby reserves the right to alter, amend and repeal this charter at any time; in such manner, however, as that no injustice shall be done to the stockholders; and this charter shall extend for a period of twenty years.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 616.

## A N A C T

Authorizing the Governor to appoint an Auctioneer for the borough of Ebensburg, in the county of Cambria.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the governor of this commonwealth be and he is hereby authorized and empowered to appoint and commission for the term of three years, one suitable person, in the borough of Ebensburg, Cambria county, as an auctioneer, who shall be authorized to sell at public auction, at such times and places within the limits of said borough as he may select, all kinds of goods, wares, merchandize, lands, tenements and all other kinds of property; and the auctioneer so appointed and commissioned, shall, before exercising any of the powers or enjoying any of the privileges incident to said appointment, pay into the county treasury of Cambria county, for the use of the commonwealth, the sum of twenty-five dollars for his commission; and the said auctioneer shall also pay into the county treasury, for the use of the commonwealth, one per centum upon all sales exceeding in amount two thousand dollars.

Appointment of auctioneer authorized.  
Privileges.  
Commission to be paid for.  
Per centum on sales.

**SECTION 2.** That if any person not commissioned and authorized as aforesaid, shall, after the passage of this act, in any manner use or exercise the business or occupation of an auctioneer within the limits of said borough of Ebensburg, he shall, upon conviction thereof, for every such offence, forfeit and pay not less than one hundred, nor more than three hundred dollars, to be recovered in any court having jurisdiction thereof, as debts are by law recoverable, one-half to the use of the commonwealth, and the other half to the use of the person suing for the same.

Penalty for acting as auctioneer without commission.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



boundaries of said district, on the second Saturday of May, one thousand eight hundred and sixty-one, at the school house in said district, elect six school directors, two to serve one year, two to serve two years, and two to serve three years; and annually thereafter, on the second Saturday of May, that an election be held to elect two school directors for said district, to serve three years each; and that Forbes L. Whitlock be and is hereby authorized to act as judge, and John Lee and Milo Keeler, inspectors, to hold and conduct said election as other elections for township officers are conducted; and at the holding said first election, that said qualified voters elect judge and inspectors, for the next ensuing election; and each and every year thereafter, said qualified voters elect a judge and two inspectors of said election; and that said judge and inspectors be required to give at least five days public notice of the time and place of holding said election, by written or printed handbills, put up in three most public places in said district; and that the township assessors, in each and every year, at the time of making assessments for state and county purposes, be required, in a separate book for that purpose, to assess all property subject to tax under the school laws of this commonwealth, and to furnish to said school directors a certified copy of the same, for the use of said district; and that all taxes now due and unpaid within said proposed district, or that may become due, be paid over to said proposed district.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 607.

## AN ACT

Relating to the Road Laws of the county of M'Kean.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all acts and proceedings of the supervisors of the several townships in the county of M'Kean, elected for the year one thousand eight hundred and sixty, and all appointments of road viewers made by the court of quarter sessions of said county, and all reports of such viewers, which have been or may hereafter be approved by said court, and all orders and decrees of said court

Supervisors and  
road viewers,  
relative to.

relating to the roads in said county, or to the assessments of special taxes to pay debts of any of the townships, are hereby confirmed and made valid and effectual to all intents and purposes as though the act of April second, one thousand eight hundred and sixty, relating to the road laws of M'Kean and Tioga counties, had not been passed.

SECTION 2. That the road commissioners elected at the last township election in the county of M'Kean, and who may hereafter be elected in said county, shall be overseers of the poor in and for their respective townships, and shall perform all the duties and possess all the powers pertaining to said office of overseers of the poor in said townships respectively.

Road commissioners to act as overseers of the poor.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 608.

## A SUPPLEMENT

To the act incorporating the German Hospital of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That every person elected by ballot by a majority of the corporators present and contributing five dollars, and paying annually the sum of three dollars, shall be entitled to vote and to all the rights of a contributor, as long as he shall pay his annual contribution; every person elected as aforesaid and contributing at any one time not less than fifty dollars, shall have the same rights and privileges, and be thereby constituted a life member; every contributor of one thousand dollars shall be entitled to have one patient constantly in the wards, on his or her recommendation, and be a life member; every citizen above the age of twenty-one years, making the contributions herein provided for, and speaking the German language, shall be eligible as a manager.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

The following is a list of the names of the members of the  
 Senate and House of Representatives of the Commonwealth of Pennsylvania  
 who have been elected to the office of Senator and Representative  
 respectively, for the year 1891.

SENATE  
 JOHN S. PENNEY  
 Speaker of the Senate pro tem.

HOUSE OF REPRESENTATIVES  
 A. G. CURTIN.

No. 615.

# AN ACT

To incorporate the North American Oil Company.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That

David Alter, William F. Johnston, John L. Russell, Robert Robb, Commissioners.  
 George Ogden, junior, Thomas MacConnell, John Harper, John  
 Graham and James O'Harra, or a majority of them, be and they  
 are hereby appointed commissioners to open books of subscrip-  
 tion in the city of Pittsburg, after giving not less than ten days  
 notice of time and place, in one or more newspapers published  
 in said city, for the purpose of receiving subscriptions to and Subscriptions.  
 organizing a company under the name, style and title of the  
 North American oil company; which company shall have power Style.  
 to take and hold lands and real estate in the counties of West- Powers.  
 moreland and Armstrong, not exceeding in quantity, at any one  
 time, five hundred acres, and to mine, prepare for market, sell  
 and dispose of any cannel and bituminous coal, iron ores and  
 other minerals or products of their lands, and to manufacture  
 lubricating and illuminating oils, iron or other products of their  
 minerals or lands, and to convey the same to market, and to  
 grant leases of said lands or any portions thereof.

SECTION 2. That the capital stock of said company shall be Capital.  
 two hundred thousand dollars, divided into ten thousand shares  
 of twenty dollars each; and the said company is hereby de-  
 clared and made capable in law to sue and be sued, implead and  
 be impleaded; to have a common seal, and the same to alter at Seal.  
 pleasure; to sell and convey their real estate, and to purchase, Real estate and  
 hold and sell such personal property as may be necessary to personal prop-  
 erty.  
 promote the objects of the corporation.

SECTION 3. That the affairs of said company shall be managed Board of direc-  
 by a board of not less than five nor more than nine directors, tors.  
 one of whom shall be the president, who shall be designated by President.  
 the stockholders; the first election shall be held within sixty  
 days after this charter shall take effect, of which election public  
 notice shall be given at least two weeks in one newspaper pub- Election, notice  
 lished in the city of Pittsburg, and subsequent elections at such of.  
 time and place, annually, as the directors shall determine, of  
 which the same notice shall be given; all elections shall be by  
 ballot, and every share of stock, on which all required instal-  
 ments shall be paid, shall entitle the holder thereof to one vote, Votes.  
 either in person or by proxy: *Provided*, That in case of failure Proviso.  
 to hold an election under this act, the former directors shall  
 continue in office until their successors be duly chosen; and in  
 case of resignation or death of the president or any director, Vacancies.  
 the remaining directors shall elect a person to serve until their  
 successors are duly chosen.

SECTION 4. That the stock of said company shall be transfer- Stock transfer-  
 able agreeably to the by-laws which may be adopted by the ble.  
 directors, and that dividends may be declared and paid whenever  
 the directors deem it advisable; but said dividends shall in no Dividends.  
 case exceed the amount of actual net profits acquired by the  
 corporation; and if the directors shall make a dividend of more  
 than the actual net profits, the directors consenting thereto shall  
 severally be liable to the corporation, in their individual capaci- Liability of di-  
 ties, for the excess so divided and paid; and the said company rectors for excess  
 shall pay into the state treasury a bonus of two and one-half of dividends.  
 per cent. on the capital stock hereby authorized, in three equal  
 annual instalments, in lieu of any and all taxes upon dividends, Bonus in lieu of  
 tax upon divi-  
 dends, when paid

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1901

No. 616.

## AN ACT

Authorizing the Governor to appoint an Auctioneer for the borough of Ebensburg, in the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the governor of this commonwealth be and he is hereby authorized and empowered to appoint and commission for the term of three years, one suitable person, in the borough of Ebensburg, Cambria county, as an auctioneer, who shall be authorized to sell at public auction, at such times and places within the limits of said borough as he may select, all kinds of goods, wares, merchandize, lands, tenements and all other kinds of property; and the auctioneer so appointed and commissioned, shall, before exercising any of the powers or enjoying any of the privileges incident to said appointment, pay into the county treasury of Cambria county, for the use of the commonwealth, the sum of twenty-five dollars for his commission; and the said auctioneer shall also pay into the county treasury, for the use of the commonwealth, one per centum upon all sales exceeding in amount two thousand dollars.

Appointment of auctioneer authorized.

Privileges.

Commission to be paid for.

Per centum on sales.

SECTION 2. That if any person not commissioned and authorized as aforesaid, shall, after the passage of this act, in any manner use or exercise the business or occupation of an auctioneer within the limits of said borough of Ebensburg, he shall, upon conviction thereof, for every such offence, forfeit and pay not less than one hundred, nor more than three hundred dollars, to be recovered in any court having jurisdiction thereof, as debts are by law recoverable, one-half to the use of the commonwealth, and the other half to the use of the person suing for the same.

Penalty for acting as auctioneer without commission.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 617.

## AN ACT

Declaring Soldier run, in the county of Jefferson, a Public Highway.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same:* That Soldier run, in the county of Jefferson, be and the same hereby declared a public highway, from the mill of William Reynolds to the Clearfield county line, and that persons navigating said stream, shall have the right of ingress, egress and regress, on and over the lands adjoining, for the purpose of straightening, clearing or navigating said stream: *Provided* That they shall first pay such damages to the landholders as may be assessed by three disinterested freeholders, to be appointed by the court of common pleas of said county of Jefferson, on application of any land-owner that may be damaged: and the viewers shall first be sworn or affirmed, well and truly to view the premises alleged to be damaged, and to assess the damages if any such has been sustained, and their award made and filed in the prothonotary's office of said county, and shall be final and conclusive, subject only to a review which the court may, in their discretion direct.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

**APPROVED**—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIS.

No. 618.

## A SUPPLEMENT

To an act relative to the Selling of the Repairing of the Public Roads in certain townships in Schuylkill county, approved the nineteenth of January, Anno Domini one thousand eight hundred and sixty.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

shall be lawful for any person who may feel himself aggrieved by the negligence of the contractor or contractors, in keeping the roads in good passable order, to make complaint under oath, to a justice of the peace of the said county, setting forth as near as possible, the road or part of road or bridge out of repair; whereupon it shall be the duty of the said justice to issue his mandate to the constable of his district, or to some other convenient constable, commanding three disinterested persons, named by said justice in said mandate, who shall forthwith view the road or bridge complained of, and make a written report of their investigations, sworn and subscribed to. Should such report confirm the complaint, the justice shall cause the contractor or contractors to appear before him forthwith, and enter into a recognizance for his or their appearance at the next court of quarter sessions of the peace in and for said county, to answer for the misdemeanor.

How complaints to be made when roads not in good order.

Duty of justice of the peace.

Report of viewers

Contractors to enter into recognizance.

SECTION 2. The justice of the peace shall make a return of the report and affidavit of the viewers, in the same manner as reports of criminal cases are now made.

Justice to make return of report.

SECTION 3. The fees to be received by said justice, and the fees and mileage of said constable, shall be the same as is now allowed by law for similar services; and the said viewers shall be allowed one dollar per day, and the same mileage now allowed by law to jurors; but in no case shall they be allowed for more than one day's service and one mileage; and in no case shall the complainant be entitled to any fees or compensation before said justice; neither shall it be necessary for such complainant, after the report of the viewers has been made, to appear at court to prosecute, nor shall said complainant be liable to pay the costs of said prosecution in court; but all such prosecutions shall be entered and conducted in the name of the commonwealth, and the costs shall be paid either by the defendant or defendants, or by the county, as the result of said prosecution may require, according to existing laws.

Fees of justices and controller.

Pay of viewers.

Complainant.

Costs.

SECTION 4. Should any such complaint be made and not corroborated by the viewers, then and in that case the cost shall fall upon the complainant, and shall be collected from him in the name of the commonwealth, for the parties entitled thereto, in the same manner as debts of like amount are now by law recoverable, in which no exemption of property from execution shall be allowed.

Complainant to pay costs in certain cases.

SECTION 5. This act shall not take effect until the tenth day of April, Anno Domini one thousand eight hundred and sixty-one.

When this act to take effect.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 619.

## A SUPPLEMENT

To the act to enable the county of Beaver to borrow money, approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of the general assembly, approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty, entitled "An Act to enable the county of Beaver to borrow money," be and the same is hereby extended so as to authorize and empower the commissioners of Beaver county to borrow money, not exceeding twenty thousand dollars, upon the faith and credit of said county, in addition to the amount authorized by the act to which this is a supplement, subject to all the provisions and restrictions of said act.*

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 620.

## AN ACT

To sell and convey a House and one Acre of Land in Rockhill township, Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Henry Hartzel, trustee of the German Reformed church of the Ridge valley, in the county of Bucks, state of Pennsylvania, is hereby authorized and empowered to sell and convey a certain dwelling house and lot of one acre of land, with the appurtenances, situate in said Rockhill township, Bucks county, bounded by lands of Henry H. Cressman, the property of said congregation worshipping at said church, with power to make and*

ecute a good and lawful deed of conveyance to the purchaser ereof, in fee simple, clear of all incumbrance; and further, the said Henry Hartzel, trustee of aforesaid, is hereby authorized and empowered to pay a certain debt due from said congregation to Henry Barnd; and if any funds of said sale, after the payment of said debt and the expenses of the sale, shall remain, the said trustee shall pay such balance to the said congregation.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 621.

A N A C T

Providing for copying the Drafts and other papers in the County Surveyor's Office of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county surveyor of the county of Schuylkill be and he is hereby authorized and required to procure a sufficient number of substantial and well bound books, and therein to make fair copies, full and entire, of all the drafts of surveys now in the different books in his office, and of all others therein, which appear to have been made and returned by any of his predecessors and not in said books; and also in a separate book or books, he shall copy all entries of warrants now to be found in his office; the same books of drafts and warrants to be properly indexed; for which services he shall receive twenty cents for each draft copied and indexed, and five cents for each warrant entry copied and indexed, and also such sums as he may have actually expended for said books, to be paid by the county treasurer, on orders drawn on him by the county commissioners, in favor of said county surveyor.

County surveyor authorized to copy drafts of surveys and entries of warrants.

Compensation.

SECTION 2. That but before any such orders shall be drawn, it shall be the duty of said commissioners to appoint two competent persons to examine and compare said copies with the originals; and if the said persons shall certify to the commissioners that the same have been fairly and fully made, they

Commissioners to appoint two persons to examine and compare copies.

Originals to be preserved.

Pay of examiners

Office of county surveyor.

shall draw their order on the treasurer as aforesaid; and at the end of each of the said books the said commissioners shall cause a copy of the said certificates to be entered, certified to be such, by their clerk and under their seal of office; after which the said books of copies shall be deemed and taken as having the same authority as the originals now have; the said originals to be carefully preserved in the said county surveyor's office, the same as if the above copies had not been made; and the said examiners shall be entitled to receive for their services two dollars each per day, for the time they are actually engaged in making the said comparisons, to be paid by the commissioners as aforesaid.

SECTION 3. That from and after the passage of this act the county surveyor of Schuylkill county shall keep his office and place of business at some suitable place within the borough of Pottsville.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 622.

## AN ACT

In relation to the township of Greene, in the county of Indiana.

Supervisors and overseers of the poor to give bonds.

Auditors to approve.

Provisions of a certain act extended.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the supervisors of roads and overseers of the poor, elected each year in the township of Greene, in the county of Indiana, shall respectively give bond, with security, as is now required by law, on or before the first Saturday of March next succeeding their election, at which time it shall be the duty of the auditors of said township to receive and approve the same or take such action thereon as may be necessary.

SECTION 2. That the provisions of an act, entitled "An Act for the election of township treasurer, and other purposes, in the township of Cherry Hill, in the county of Indiana," approved the seventeenth day of April, Anno Domini one thousand

eight hundred and fifty-six, be and the same are hereby extended to the said township of Greene, in said county of Indiana.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 623.

A N A C T

Relative to the Claim of Samuel Copper, of the county of Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the attorney general, the auditor general and the state treasurer be and they are hereby authorized and required to examine the claim of Samuel Copper, for damages sustained in building lock number eleven, on the Erie Extension canal, and report to this or the next legislature the amount, if any, that the said Samuel Copper is entitled to.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

according to the original survey of the out-lots adjoining and south of South street, then the road commissioners aforesaid shall apportion such excess equally to the widening of Beach lane and Ash lane respectively, southward of South street, in such manner as to give to each and every out-lot aforesaid its exact measurement in length, as specified in the original survey along the south line of South street.

To be public  
highways.

SECTION 3. That South street, Beach lane and Ash lane, as thus located and established, are hereby declared to be permanent public highways; that the boundaries of the street and lanes, aforesaid, severally, shall be the proper boundaries respectively of the lots and lands adjoining thereto, or any of them; and that all laws heretofore enacted which may be hereby altered, and all laws and parts of laws inconsistent herewith, be and the same are hereby repealed.

Repeal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 612.

## AN ACT

To repeal so much of the fourth section of an act, approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine, incorporating the borough of Schuylkill Haven, as relates to the Election of Supervisor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fourth section of an act, approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine, to repeal former acts relating to the borough of Schuylkill Haven, in the county of Schuylkill, and extending the general features of an act regulating boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, of said borough, as relates to the election of supervisor, be and the same is hereby repealed.

Repeal.

Supervisor, how  
appointed.

SECTION 2. That hereafter the supervisor of said borough shall be appointed according to the provisions of an act regulating

boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 613.

# AN ACT

Authorizing the borough of Warren and the township of South-West, in Warren county, to levy an additional Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate officers of the borough of Warren, in the county of Warren, are hereby authorized to levy and collect a tax in addition to the tax now authorized by law, not exceeding five mills on the dollar of the valuation assessed for county purposes, for a period not exceeding three years, for the purpose of the purchase of an additional fire engine and the necessary hose, for the use of said borough; and the road commissioners of South-West township, in said county of Warren, are hereby authorized to levy and collect a road tax in addition to the road tax now authorized by law, not exceeding ten mills on the dollar for the ensuing year.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 614.

## A SUPPLEMENT

To an act incorporating the Glen Hope and Independence Plank Road and Turnpike Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate name and title of the Glen Hope and Independence plank road and turnpike company, in Clearfield county, incorporated twenty-fourth day of April, one thousand eight hundred and fifty-seven, be and hereby is changed to that of Madera and Osceola plank road and turnpike company.

**SECTION 2.** That the capital stock of said company shall be reduced to eight thousand dollars, with the privilege to increase the same to fifteen thousand dollars, and that it shall be lawful for them to pay interest not exceeding ten per cent. per annum, on all moneys paid in as stock before the completion of said road, and after its completion add the amount thus paid to the capital stock; and further, that said company shall have the power to issue bonds to the amount of six thousand dollars, for the final completion of said road.

**SECTION 3.** That the rights, liberties and powers conferred upon said corporation by the act of the general assembly of the commonwealth of Pennsylvania, to which this act is supplementary, shall remain and continue unimpaired, except in so far as the same may be modified or affected by the provisions of this act.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 615.

## AN ACT

To incorporate the North American Oil Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

David Alter, William F. Johnston, John L. Russell, Robert Robb, Commissioners.  
 George Ogden, junior, Thomas MacConnell, John Harper, John Graham and James O'Harra, or a majority of them, be and they are hereby appointed commissioners to open books of subscription in the city of Pittsburgh, after giving not less than ten days notice of time and place, in one or more newspapers published in said city, for the purpose of receiving subscriptions to and Subscriptions.  
 organizing a company under the name, style and title of the North American oil company; which company shall have power Style.  
 to take and hold lands and real estate in the counties of West- moreland and Armstrong, not exceeding in quantity, at any one time, five hundred acres, and to mine, prepare for market, sell and dispose of any cannel and bituminous coal, iron ores and other minerals or products of their lands, and to manufacture lubricating and illuminating oils, iron or other products of their minerals or lands, and to convey the same to market, and to grant leases of said lands or any portions thereof. Powers.

SECTION 2. That the capital stock of said company shall be Capital.  
 two hundred thousand dollars, divided into ten thousand shares of twenty dollars each; and the said company is hereby declared and made capable in law to sue and be sued, implead and be impleaded; to have a common seal, and the same to alter at Seal.  
 pleasure; to sell and convey their real estate, and to purchase, Real estate and  
 hold and sell such personal property as may be necessary to personal prop-  
 promote the objects of the corporation. erty.

SECTION 3. That the affairs of said company shall be managed Board of direc-  
 by a board of not less than five nor more than nine directors, tors.  
 one of whom shall be the president, who shall be designated by President.  
 the stockholders; the first election shall be held within sixty days after this charter shall take effect, of which election public Election, notice  
 notice shall be given at least two weeks in one newspaper pub- of.  
 lished in the city of Pittsburgh, and subsequent elections at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock, on which all required instal-  
 ments shall be paid, shall entitle the holder thereof to one vote, Votes.  
 either in person or by proxy: *Provided*, That in case of failure Proviso.  
 to hold an election under this act, the former directors shall continue in office until their successors be duly chosen; and in case of resignation or death of the president or any director, Vacancies.  
 the remaining directors shall elect a person to serve until their successors are duly chosen.

SECTION 4. That the stock of said company shall be transfer- Stock transфера-  
 able agreeably to the by-laws which may be adopted by the ble.  
 directors, and that dividends may be declared and paid whenever the directors deem it advisable; but said dividends shall in no Dividends.  
 case exceed the amount of actual net profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation, in their individual capaci- Liability of di-  
 ties, for the excess so divided and paid; and the said company rectors for excess  
 shall pay into the state treasury a bonus of two and one-half of dividends.  
 per cent. on the capital stock hereby authorized, in three equal Bonus in lieu of  
 annual instalments, in lieu of any and all taxes upon dividends, tax upon divi-  
 dends, when paid



the first of which instalments shall be paid within one year from the date of the issue of letters patent herein provided for.

When act to take effect.

SECTION 5. That this act shall not take full effect until one thousand shares shall have been subscribed for and at least one-half of that amount have been actually paid for in cash, of which a statement, containing the names of the subscribers and the amount subscribed for by each, shall be given to the governor, to be filed in the office of the secretary of the commonwealth; whereupon the governor shall issue letters patent to the said subscribers as corporators, under the name, style and title aforesaid.

Letters patent.

May issue bonds.

SECTION 6. The said corporation may issue bonds, bearing a rate of interest not exceeding ten per centum per annum, with or without a clause making them convertible into the stock of the company, at the option of the holder, and with power to sell the said bonds at their market value, notwithstanding said market value may be less than par; and which bonds may be secured by mortgage of the property and franchises of the company; but no bond shall be issued for a less sum than one hundred dollars.

Sale of.

How secured.

Individual liability.

SECTION 7. That the stockholders of said company shall be individually liable, jointly and severally, for debts due to mechanics, workmen and laborers employed by said company, and for country produce furnished for said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be held individually liable for any such debt, unless the same be sued for within six months after they become due.

Proviso.

Reservation.

SECTION 8. That the legislature hereby reserves the right to alter, amend and repeal this charter at any time; in such manner, however, as that no injustice shall be done to the stockholders; and this charter shall extend for a period of twenty years.

Limitation.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 616.

## AN ACT

authorizing the Governor to appoint an Auctioneer for the borough of Ebensburg, in the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly et, and it is hereby enacted by the authority of the same, That* from and after the passage of this act the governor of this commonwealth be and he is hereby authorized and empowered to appoint and commission for the term of three years, one suitable person, in the borough of Ebensburg, Cambria county, as an auctioneer, who shall be authorized to sell at public auction, at such times and places within the limits of said borough as he may select, all kinds of goods, wares, merchandize, lands, tenements and all other kinds of property; and the auctioneer so appointed and commissioned, shall, before exercising any of the powers or enjoying any of the privileges incident to said appointment, pay into the county treasury of Cambria county, for the use of the commonwealth, the sum of twenty-five dollars for his commission; and the said auctioneer shall also pay into the county treasury, for the use of the commonwealth, one per centum upon all sales exceeding in amount two thousand dollars.

Appointment of auctioneer authorized.

Privileges.

Commission to be paid for.

Per centum on sales.

SECTION 2. That if any person not commissioned and authorized as aforesaid, shall, after the passage of this act, in any manner use or exercise the business or occupation of an auctioneer within the limits of said borough of Ebensburg, he shall, upon conviction thereof, for every such offence, forfeit and pay not less than one hundred, nor more than three hundred dollars, to be recovered in any court having jurisdiction thereof, as debts are by law recoverable, one-half to the use of the commonwealth, and the other half to the use of the person suing for the same.

Penalty for acting as auctioneer without commission.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 617.

## AN ACT

Declaring Soldier run, in the county of Jefferson, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Soldier run, in the county of Jefferson, be and the same is hereby declared a public highway, from the mill of William H. Reynolds to the Clearfield county line, and that persons navigating said stream, shall have the right of ingress, egress and regress, on and over the lands adjoining, for the purpose of straightening, clearing or navigating said stream: *Provided,* That they shall first pay such damages to the landholders as may be assessed by three disinterested freeholders, to be appointed by the court of common pleas of said county of Jefferson, on the application of any land-owner that may be damaged; said viewers shall first be sworn or affirmed, well and truly to view the premises alleged to be damaged, and to assess the damages, if any such has been sustained, and their award made and filed in the prothonotary's office of said county, and shall be final and conclusive, subject only to a review which the court may in their discretion direct.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 618.

## A SUPPLEMENT

To an act relative to the Selling of the Repairing of the Public Roads in certain townships in Schuylkill county, approved the nineteenth of January, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

it shall be lawful for any person who may feel himself aggrieved by the negligence of the contractor or contractors, in keeping the roads in good passable order, to make complaint under oath, to a justice of the peace of the said county, setting forth as near as possible, the road or part of road or bridge out of repair; whereupon it shall be the duty of the said justice to issue his mandate to the constable of his district, or to some other convenient constable, commanding three disinterested persons, named by said justice in said mandate, who shall forthwith view the road or bridge complained of, and make a written report of their investigations, sworn and subscribed to. Should such report confirm the complaint, the justice shall cause the contractor or contractors to appear before him forthwith, and enter into a recognizance for his or their appearance at the next court of quarter sessions of the peace in and for said county, to answer for the misdemeanor.

How complaints to be made when roads not in good order.

Duty of justice of the peace.

Report of viewers

Contractors to enter into recognizance.

SECTION 2. The justice of the peace shall make a return of the report and affidavit of the viewers, in the same manner as reports of criminal cases are now made.

Justice to make return of report.

SECTION 3. The fees to be received by said justice, and the fees and mileage of said constable, shall be the same as is now allowed by law for similar services; and the said viewers shall be allowed one dollar per day, and the same mileage now allowed by law to jurors; but in no case shall they be allowed for more than one day's service and one mileage; and in no case shall the complainant be entitled to any fees or compensation before said justice; neither shall it be necessary for such complainant, after the report of the viewers has been made, to appear at court to prosecute, nor shall said complainant be liable to pay the costs of said prosecution in court; but all such prosecutions shall be entered and conducted in the name of the commonwealth, and the costs shall be paid either by the defendant or defendants, or by the county, as the result of said prosecution may require, according to existing laws.

Fees of justices and controller.

Pay of viewers.

Complainant.

Costs.

SECTION 4. Should any such complaint be made and not corroborated by the viewers, then and in that case the cost shall fall upon the complainant, and shall be collected from him in the name of the commonwealth, for the parties entitled thereto, in the same manner as debts of like amount are now by law recoverable, in which no exemption of property from execution shall be allowed.

Complainant to pay costs in certain cases.

SECTION 5. This act shall not take effect until the tenth day of April, Anno Domini one thousand eight hundred and sixty-one.

When this act to take effect.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 619.

## A SUPPLEMENT

To the act to enable the county of Beaver to borrow money, approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of the general assembly, approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty, entitled "An Act to enable the county of Beaver to borrow money," be and the same is hereby extended so as to authorize and empower the commissioners of Beaver county to borrow money, not exceeding twenty thousand dollars, upon the faith and credit of said county, in addition to the amount authorized by the act to which this is a supplement, subject to all the provisions and restrictions of said act.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A G. CURTIN.

No. 620.

## A N A C T

To sell and convey a House and one Acre of Land in Rockhill township, Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Hartzel, trustee of the German Reformed church of the Ridge valley, in the county of Bucks, state of Pennsylvania, is hereby authorized and empowered to sell and convey a certain dwelling house and lot of one acre of land, with the appurtenances, situate in said Rockhill township, Bucks county, bounded by lands of Henry H. Cressman, the property of said congregation worshipping at said church, with power to make and

execute a good and lawful deed of conveyance to the purchaser hereof, in fee simple, clear of all incumbrance; and further, he said Henry Hartzel, trustee of aforesaid, is hereby authorized and empowered to pay a certain debt due from said congregation to Henry Barnd; and if any funds of said sale, after the payment of said debt and the expenses of the sale, shall remain, he said trustee shall pay such balance to the said congregation.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 621.

## AN ACT

Providing for copying the Drafts and other papers in the County Surveyor's Office of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county surveyor of the county of Schuylkill be and he is hereby authorized and required to procure a sufficient number of substantial and well bound books, and therein to make fair copies, full and entire, of all the drafts of surveys now in the different books in his office, and of all others therein, which appear to have been made and returned by any of his predecessors and not in said books; and also in a separate book or books, he shall copy all entries of warrants now to be found in his office; the same books of drafts and warrants to be properly indexed; for which services he shall receive twenty cents for each draft copied and indexed, and five cents for each warrant entry copied and indexed, and also such sums as he may have actually expended for said books, to be paid by the county treasurer, on orders drawn on him by the county commissioners, in favor of said county surveyor.

County surveyor authorized to copy drafts of surveys and entries of warrants.

Compensation.

SECTION 2. That but before any such orders shall be drawn, it shall be the duty of said commissioners to appoint two competent persons to examine and compare said copies with the originals; and if the said persons shall certify to the commissioners that the same have been fairly and fully made, they

Commissioners to appoint two persons to examine and compare copies.

shall draw their order on the treasurer as aforesaid; and at the end of each of the said books the said commissioners shall cause a copy of the said certificates to be entered, certified to be such, by their clerk and under their seal of office; after which the said books of copies shall be deemed and taken as having the same authority as the originals now have; the said originals to be carefully preserved in the said county surveyor's office, the same as if the above copies had not been made; and the said examiners shall be entitled to receive for their services two dollars each per day, for the time they are actually engaged in making the said comparisons, to be paid by the commissioners as aforesaid.

**Originals to be preserved.**

**Pay of examiners**

**Office of county surveyor.**

SECTION 3. That from and after the passage of this act the county surveyor of Schuylkill county shall keep his office and place of business at some suitable place within the borough of Pottsville.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 622.

## AN ACT

In relation to the township of Greene, in the county of Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the supervisors of roads and overseers of the poor, elected each year in the township of Greene, in the county of Indiana, shall respectively give bond, with security, as is now required by law, on or before the first Saturday of March next succeeding their election, at which time it shall be the duty of the auditors of said township to receive and approve the same or take such action thereon as may be necessary.

**Supervisors and overseers of the poor to give bonds.**

**Auditors to approve.**

SECTION 2. That the provisions of an act, entitled "An Act for the election of township treasurer, and other purposes, in the township of Cherry Hill, in the county of Indiana," approved the seventeenth day of April, Anno Domini one thousand

**Provisions of a certain act extended.**

eight hundred and fifty-six, be and the same are hereby extended to the said township of Greene, in said county of Indiana.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 623.

AN ACT

Relative to the Claim of Samuel Copper, of the county of Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the attorney general, the auditor general and the state treasurer be and they are hereby authorized and required to examine the claim of Samuel Copper, for damages sustained in building lock number eleven, on the Erie Extension canal, and report to this or the next legislature the amount, if any, that the said Samuel Copper is entitled to.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 624.

## AN ACT

Authorizing the Commissioners of Fayette county to pay certain money.

WHEREAS, There existed in the county of Fayette a gang of robbers, who during the last year committed a number of larcenies in said county :

*And whereas, Peter Heck, John M'Cain and Calvin Springer undertook to ferret them out and bring them to justice, and having succeeded in capturing five of them, all of whom have been tried, convicted and sent to the penitentiary, and the compensation allowed by law being inadequate to compensate them for the trouble and expense incident to said captures ; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Fayette county are hereby authorized and empowered to draw their warrant upon the treasurer of said county, in favor of Peter Heck, John M'Cain and Calvin Springer, for the sum of fifty-three dollars, in full for services and expenses in the capture of the Hixons.*

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 625.

## AN ACT

Authorizing the Examination of the Claim of Sherman Bills against the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general, attorney general and state treasurer be and they are hereby authorized to examine the claim of Sherman Bills, for work done on dam number two, Kiskiminetas line of*

Pennsylvania canal, and report the same to this or the next legislature.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domin one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 626.

## A N A C T

To incorporate the Artillery Corps of the West Philadelphia Greys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John H. Gardner, John Chase, W. H. Githens, G. W. Curtis, Corporators. D. M. Lane, J. Conrad, W. Ephline, W. Letford, H. Fite, W. Markward and their associates, who are now members of the Artillery Corps of the West Philadelphia Greys of the city of Philadelphia, attached to the first brigade, first division, Pennsylvania volunteers, and all other persons who shall hereafter become members of the same, shall be and they are hereby created and erected into a body politic, under name, style and title of the Artillery Corps of West Philadelphia Greys of the city of Philadelphia, and by that name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, answer and Privileges. be answered, defend and be defended in all courts of law or equity within this commonwealth and elsewhere; and also to be able to make and hold, to them and their successors, either by gift, grant, devise, lease, absolute purchase, or in any other manner, a suitable lot of ground, with building thereon, for the purpose of an armory, and other proper and needful ones connected with the affairs thereof, with the necessary and convenient furniture, fixtures and appliances, with right to lease parts and portions of the said lot and building; and the same at their pleasure, and from time to time, to grant, bargain, sell, alien or dispose of, either absolutely, with a reservation of rent, or upon mortgage, and generally to do and perform all and singular the matters and things which shall be lawful for them to do and perform for the well-being and due management of the affairs of the said association: *Provided*, That the clear Limitation of annual income. yearly income of said corporation shall not exceed the sum of three thousand dollars.

**Seal.** SECTION 2. That it shall and may be lawful for the said association to have a common seal, and the same at will or pleasure to change, alter and renew as they shall think proper; and also

**By-laws.** to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the

**Proviso.** government of the said corporation: *Provided*, The same are not contrary to this charter or the constitution and laws of the United States or of this commonwealth.

**Reservation.** SECTION 3. That the legislature hereby reserves the right to alter or amend the charter hereby granted, whenever it may be injurious to the citizens of this commonwealth; in such manner, however, that no injustice shall be done to the corporators.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 627.

## AN ACT

Relating to Constables' Fees in Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That on and after the passage of this act that the constables of the county of Huntingdon shall be allowed the same mileage and per diem as jurors for making their returns to the court of quarter sessions, and that the county commissioners of said county are hereby directed to pay the same in the manner that jurors are now paid.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 628.

## AN ACT

Relative to the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

whenever the select and common councils of the city of Allegheny shall deem it expedient to open any street, lane or alley therein, or to widen or extend the same, it shall be lawful for the said councils to appoint three discreet and disinterested freeholders, who, or a majority of them, having been first duly sworn or affirmed, and after having given public notice in at least two newspapers published in the county of Allegheny, for at least two weeks previously, and by handbills which shall be posted on the line of the proposed street, and in public places, shall proceed to view the premises proposed to be taken therefor, and having regard to both the advantages and disadvantages the owners of said premises may seem likely to sustain by the opening of such street, lane or alley, or the widening or extending of the same, shall award to the owners thereof such damages, if any, which they may seem likely to sustain by the taking of the said premises, for the purposes aforesaid; and the said viewers, or a majority of them, as aforesaid, shall assess and apportion the damages awarded as aforesaid, together with the costs and expenses of the view, and five per cent. additional upon the amount of the damages awarded, to cover expenses for legal services, fairly and equitably upon all property in said city, which to them may seem likely to be benefited by the opening of such street, lane or alley, or the widening or extending of the same: *Provided*, That nothing herein contained shall be construed to repeal the laws now in force relative to grading, re-grading and paving of streets, lanes and alleys in the said city of Allegheny, and relative to altering and fixing the grades thereof: *And provided further*, That persons holding a lease or leases of property over and through which such street, lane or alley is proposed to be opened, widened or extended, shall have their damages assessed under the provisions of this act.

SECTION 2. That the viewers, when they have completed the duties prescribed by the first section of this act, shall as soon thereafter as possible, present to the said councils a statement setting forth therein the names of property owners to whom damages have been awarded by said viewers, together with the amount awarded to each, and also setting forth therein the names of the owners of property found to be benefited as aforesaid, and the amount apportioned and assessed to each; and they shall attach to said statement an accurate map or plan (to be prepared by the regulator of said city) of the street, lane or alley proposed to be opened, widened or extended, having marked thereon the lots and improvements which may suffer

Opening, widening or extending streets, alleys, &c.

Viewers to be appointed by councils.

Their duties.

Damages.

Costs and expenses of view, &c., to be assessed upon property benefited.

Provide.

Provide.

Statement to be presented by viewers.

Map to be attached.

Action of councils upon statement.	damages, and which may be benefited by the opening, widening or extending of such street, lane or alley; and the said councils shall take action upon the said statement, and may quash the proceedings upon paying the costs and expenses of the view already incurred; but if they shall approve of the said statement, they shall cause the same to be certified to the solicitor
If approved, to be certified to solicitor.	of said city, whose duty it shall be to file the same in the district court of Allegheny county, and give public notice in at least two newspapers published in the said county, during two weeks, and by handbills, which shall be posted on the line of said street and in public places, that the same is filed in said
His duty.	court; to which court any party feeling himself or herself aggrieved, shall have the right of appeal within six weeks from the time of filing the said statement; and the said statement having been confirmed by the said court, shall be entered at large upon the records thereof; and the names of persons to whom damages have been awarded, and upon whom apportionment and assessment for the payment thereof, together with the costs, &c., mentioned in the first section of this act, have
Parties may appeal to court.	been made, shall be properly indexed; and said apportionment and assessment shall be and remain in lien upon the property so found to be benefited as aforesaid, until the amounts so apportioned and assessed, with interest, expenses and the costs of court shall be paid or tendered to the persons entitled to receive the same: <i>Provided</i> , That the lien of such apportionment and assessment shall not be divested by any judicial sale, as respects so much thereof as the proceeds of such sale may be insufficient to discharge and pay.
Statement to be entered upon the records when confirmed by court.	
To be indexed.	
Assessment to be a lien.	
Proviso.	
How assessments to be recovered if not paid within one year.	SECTION 3. That the apportionments and assessments made under this act, if not paid within one year from and after the date of the confirmation thereof by the said court, with interest and the costs of court and expenses, shall be recoverable by writ of <i>scire facias</i> , in the name of the commonwealth, for the use of the mayor, aldermen and citizens of Allegheny; and it shall be the official duty of the city solicitor aforesaid, to collect said apportionment and assessment, with interest and the costs of court and expenses as aforesaid, and the same to pay over from time to time, to the several persons who may be entitled thereto; and for his services under this act, said solicitor shall be allowed as compensation the said sum of five per cent., included in said apportionment and assessment as aforesaid; and as soon as the damages and costs as aforesaid, so assessed and apportioned, shall have been paid to the persons entitled to receive the same, or into court, to abide its order of distribution, said councils may order such street, lane or alley to be opened or widened, or extended (as the case may be) forthwith, and shall make such orders and regulations as they may deem the most suitable and expedient to have such street, lane or alley thrown open to public use and occupation: <i>Provided</i> , That the sums so apportioned and assessed, with costs, interest and expenses, as aforesaid, shall be actually either paid over to the persons or parties entitled thereto, or be actually collected, and ten days notice given by publication, in at least two newspapers published in said county, that said assessments or damages have been collected and will be paid on demand to the persons entitled to
Solicitor to collect.	
Compensation therefor.	
When councils may order streets, &c., to be opened, &c.	
Proviso.	

receive the same, before such persons or parties to whom said damages may have been awarded, shall be obliged to surrender possession of their respective pieces of property, or be deprived of their rights and interests therein.

SECTION 4. That the select and common councils of the city of Allegheny be and they are hereby authorized, when they may deem the same necessary, to cause sewers to be constructed in any street, lane, alley or common ground of said city, and for the payment of the cost and expenses of the same, they are hereby authorized and empowered to make assessment upon all property in said city, which may seem to them likely to be benefited thereby, fairly and equitably, in proportion to the benefit received; said assessment shall be made by a commission of three persons, to be appointed by said councils; and when said assessment is approved by said councils, it shall be a lien upon the property upon which said assessment shall be made, and if the same be not paid within thirty days after the said approval, the amount of said assessment, with five per cent. added thereto, shall be collected by the solicitor of said city, and by him deposited with the treasurer of said city, subject to the order of said councils; for which collection he shall receive the five per cent. added to the amounts collected by him: *Provided*, That the lien of such assessment shall not be divested by any judicial sale, as respects so much thereof as the proceeds of such sale may be insufficient to discharge and pay.

Construction of sewers.

Cost, how paid.

Assessment to be made by commissioners appointed Councils to approve.

To be a lien.

To be paid within thirty days or collected by solicitor.

Five per cent. added for collection.

*Proviso*.

SECTION 5. That the liens created by the fourth section of this act, shall be filed in the prothonotary's office of the district court of Allegheny county, and shall be proceeded upon by writs of *scire facias*, in the name of the commonwealth of Pennsylvania, for the use of the mayor, aldermen and citizens of Allegheny; and the prothonotary shall tax the same cost thereon as now are by law taxable in mechanics' liens and writs of *scire facias* issued thereon.

Liens to be filed in prothonotary's office.

Proceedings upon.

Costs.

SECTION 6. That hereafter the addition for the non-payment of taxes, due the said city of Allegheny on or before the first day of November, in each and every year, shall be five per cent. instead of ten per cent.

Five per cent. added to taxes unpaid on first November.

SECTION 7. The treasurer shall issue his warrants for the collection of taxes, in arrear, due the said city, as soon after the first day of November of each and every year as possible, and he may direct his said warrants to as many of the qualified voters of said city as he may deem necessary to collect said taxes with promptness; and the said voters, to whom said warrants may be directed, shall return to the treasurer weekly all moneys collected by them; and in all cases they shall make return of warrants in their hands within three months from the date of issue.

Treasurer to issue warrants for taxes in arrear.

Collectors.

Returns of moneys to be made weekly, and warrants within three months.

SECTION 8. So much of the act, entitled "An Act relative to taxes, rates and levies payable to the city of Allegheny," approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty, as may conflict with or is supplied by the provisions of sections six and seven of this act, is hereby repealed.

Repeal.

SECTION 9. That it shall not be lawful for any person to erect, keep or maintain for public use, within the limits of the city of

The erection or keeping of weighing scales prohibited

**Penalty.**

Allegheny, weigh scales for the weighing of cattle, hogs, sheep, hay or coal, &c., under a penalty of ten dollars for every article weighed thereon, to be recovered as other penalties are now by law recoverable.

**Weight of cattle, hay, &c., to be certified by weigh-master.**

**Penalty.**

SECTION 10. That no person shall sell in said city cattle, hogs, sheep, hay or coal, &c., unless the same shall have been weighed and certified to by a weigh-master appointed by the city of Allegheny, under a penalty of ten dollars for every article so sold, to be recovered in like manner.

**Incurably insane persons to be removed to the almshouse upon order of court.**

SECTION 11. In all cases where incurably insane persons are kept or confined, at the charge of the city of Allegheny, in the Western Pennsylvania hospital, or in any other institution for the insane in Allegheny county, whether by order of the court of quarter sessions of said county or otherwise, the said court shall, upon application of the directors of the poor of said city, order the said insane person to be removed to the almshouse of said city, at the expense of the poor fund of said city.

**Houses and lots to be numbered.**

**Names of streets.**

**Cost.**

SECTION 12. Authority is hereby given to the select and common councils of the city of Allegheny to number all the houses and lots in said city, and to place on street corners the names of streets, in such manner as may seem to them the best and most expedient, and to assess the cost of the same upon the owner of each house and lot numbered; the said assessments to be recoverable as other debts are now by law recoverable.

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 629.

## AN ACT

To change the name of the First Regiment of Artillery, third Brigade, first Division, Pennsylvania Militia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the regiment now known as the First regiment of artillery, attached to the third brigade, first division, Pennsylvania militia, be changed to, and that it shall be known hereafter as the First regiment of Philadelphia City Guards, and that the companies composing the same, viz: First company

Continental Guards, Roxborough Artillery company, Warren Guards, Steuben Guards, and Second Continental Guards, be known respectively hereafter as Philadelphia City Guards, company A., Philadelphia City Guards, company B., Philadelphia City Guards, company C., Philadelphia City Guards, company D., and Philadelphia City Guards, company E.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 630.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the borough of Patterson, in the county of Juniata," approved March, one thousand eight hundred and fifty-three:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no person shall be entitled to vote at an election for borough officers, for the borough of Patterson, unless he shall have resided within the said borough at least six months immediately preceding the election, and within one year have paid a borough tax, if such tax shall have been assessed.

J. H. SELTZER,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 631.

## AN ACT

Providing for the Election of Tax Collectors in the county of Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the qualified electors of the several wards, boroughs and townships, in the county of Cumberland, shall at their next ward, borough and township elections, and annually thereafter at said elections, elect a collector of state and county taxes, and the person so elected shall be a resident of the ward, borough or township for which he is elected: Provided, Said collectors, elected as aforesaid, shall give security, to be approved by the county commissioners; and that all vacancies shall be filled as now directed by law.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 632.

## A FURTHER SUPPLEMENT

To the act authorizing the construction of a certain Water Course in Clinton county, approved the fifteenth day of April, one thousand eight hundred and fifty-six.

Corporators

Name.

Seal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That for the purpose of carrying into effect the act to which this is a further supplement, Philip M. Price, H. T. Beardsley, Alfred Gill, D. K. Jackman, L. A. Mackey and George M. Bartholomew, their successors, assigns and associates, who shall become stockholders, are hereby erected into a body corporate and have perpetual succession, under the name and style of the Clinton County water course company, and capable in law of suing and being sued, to have and use a common seal, and authority to*

make all necessary by-laws for the regulation of the company : By-laws. *Provided*, The same shall not be inconsistent with the laws of *Proviso*. this commonwealth. The officers of said company to consist of *Officers*. a president, secretary, treasurer and five directors.

SECTION 2. The said company shall have the right to connect *Privileges*. their said water course with the canal on the south side of the basin of Blanchard, Craig and Company, instead of going through said basin, should they see fit so to do ; and shall have the right to charge and collect tolls on all boats or flats entering said *May collect tolls*. water course, and on all lumber, timber, saw-logs and other commodities whatever, transported on or floated through said water course, or any part thereof, not exceeding the following *Rates of*. rates, to wit : On each boat or flat passing in or out of said water course, for each trip, one dollar ; on each thousand feet, board measure, of lumber, timber or saw-logs, twenty-five cents ; and on all other freight, twenty-five cents per ton ; and the said company shall be required to keep open a channel of not less *Required to keep open a channel of certain width*. than forty feet in width through said water course, for the passage of boats, et cetera ; the right to charge tolls to commence when the said water course shall have been completed to the present *When tolls may be charged*. embankment on the south side of Bellefonte avenue.

SECTION 3. The capital stock of this company shall not exceed *Capital*. thirty thousand dollars, in shares of fifty dollars each ; and it shall be lawful for any company or body corporate within this commonwealth to subscribe for said stock, in addition to the *Subscriptions*. individual subscriptions that may be made.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 633.

## SUPPLEMENT

To an act incorporating the Bethlehem Water Company, approved February twenty-fourth, one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Bethlehem water company shall be and are hereby authorized to lay and assess yearly and every year, a tax, to be called a protection tax, upon the owners *Protection tax authorised.*

No. 636.

## A SUPPLEMENT

To an act to incorporate the Frankford Mutual Insurance Company of the county of Philadelphia, approved April fifth, Anno Domini one thousand eight hundred and forty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act to incorporate the Frankford Mutual insurance company of the county of Philadelphia, approved April fifth, Anno Domini one thousand eight hundred and forty-three, be and the same is hereby continued in full force and virtue for the term of twenty years, from the fifth day of April, one thousand eight hundred and sixty-three, with power to purchase and hold real estate in a sum not exceeding ten thousand dollars, in cases where indebtedness to the corporation will be secured thereby.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 637.

## AN ACT

Relative to the borough of Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Franklin, in the county of Venango, be and they are hereby authorized and empowered to enclose the public square or Diamond, in said borough, with such fence or railing as may be sufficient to prevent the passage of teams and vehicles, and the trespassing of domestic animals, over and upon the same.

Burgess and  
council empowered  
to enclose  
the public square

Penalty for mu-  
tilating shade  
trees.

SECTION 2. That from and after the passage of this act it shall not be lawful for any person or persons, to injure, mutilate or destroy any shade trees now planted or that may hereafter be

planted on said public square or Diamond; and if any person shall so mutilate, injure or destroy any such tree or trees, he or she shall, upon conviction before any justice of the peace in said borough, be fined the sum of five dollars, and in default of the payment thereof, with the costs, shall be imprisoned in the county jail, for a period not exceeding fifteen days.

J. H. SELTZER,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 638.

# A N A C T

Relating to the borough of Rome, in the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the town council of the borough of Rome, in the county of Bradford, be and they are hereby authorized to levy and collect, for the current year, a tax not exceeding one-half of one per cent. upon all persons and property made taxable in said borough by law, for county purposes; and in levying said tax they shall be governed by the last adjusted assessment for the township of Rome, in the said county.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 639.

## A N A C T

Relative to the Cumberland Road, in the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor of this commonwealth shall appoint one person to be superintendent of said road, in Fayette and Somerset counties, for the term of two years from the date of said appointment, at a salary not exceeding two hundred dollars per annum, to be paid out of the tolls collected upon said road, whose duties shall be those of superintendent of said road, as now directed by the law of this commonwealth authorizing the court of Fayette county to appoint a superintendent, approved the twenty-second day of April, one thousand eight hundred and fifty-six.*

JOHN J. PATTERSON,

*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 640.

## A N A C T

Providing for the completion of a Public Road in the county of Tioga.

Commissioners.

Route.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That William W. Babb, Samuel Doane, and William Bache, are hereby appointed commissioners to lay out and open a public road, in the township of Morris, in the county of Tioga, from the Babb's Creek road, from a point near young Campbell's tavern southwardly to the line of Lycoming county, as nearly in the direction towards Texas, in Pine township, Lycoming county, as the nature of the ground will admit.*

SECTION 2. That two hundred dollars of the taxes on unseated lands in the said township of Morris, for the present year, and the like sum for each year succeeding, till the whole shall amount to the sum of two thousand dollars, be and are hereby appropriated to defraying the expenses of laying out, opening and improving said road; which sums the collectors of the road taxes of the said township of Morris, and the treasurer of the said county of Tioga, are hereby authorized and required to pay the said commissioners, as the same shall from time to time come into their hands.

Appropriation for construction of road authorized.

How to be paid to commissioners.

SECTION 3. And the said commissioners, or a majority of them, shall, as soon as practicable, proceed to lay out, open and make said road, by the best and most convenient route; and for the purpose of finishing the same as soon as may be, shall have power to borrow and appropriate to that purpose any sum or sums of money, not exceeding in all fifteen hundred dollars, pledging the aforesaid taxes, on unseated lands, for the payment of the principal and interest thereof.

Duties of commissioners.

May borrow money and pledge taxes for payment.

SECTION 4. In case any of said commissioners shall refuse or neglect to assume and perform the duties herein prescribed, or shall resign or die, a judge of the court of common pleas of Tioga county shall, upon due ascertainment of such fact, appoint another in his stead; and before any commissioner herein appointed by said court shall undertake the duties of his office, he shall execute a bond to the commonwealth of Pennsylvania, in the penal sum of two thousand dollars, with at least one good surety, to be approved by a judge of said court of common pleas, conditioned for the performance of his duties as such commissioner with fidelity.

Vacancies.

Commissioners to give bonds.

To be approved by court.

SECTION 5. The accounts of said commissioners shall be settled annually by the auditors of the county of Tioga, subject to the same conditions now in force as to other accounting officers of said county.

Accounts, how settled.

SECTION 6. The commissioners aforesaid shall be entitled to a compensation of one and a half dollars for each day spent in the performance of the duties herein prescribed.

Compensation.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 641.

## A N A C T

Relating to Executors and other Trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Remedy in cases of waste or mismanagement of estates by executors, guardians, trustees, &c.

Court to issue citation.

Empowered to vacate letters of administration, &c., and award new letters or commission.

May compel executors, &c., to deliver over property to successors.

Powers of court in cases of incompetency by reason of sickness, &c.

whenever it shall be made to appear to the proper court having jurisdiction of the accounts of any executor, administrator, guardian, committee of a lunatic or of an habitual drunkard, or other trustee, on the oath or affirmation of any person interested, that such executor, administrator, guardian, committee or trustee is wasting or mismanaging the property or estate under his charge, or that for any reason the interests of the estate or property are likely to be jeopardized by the continuance of any such executor, administrator, guardian, committee or trustee, or when such executor, administrator, guardian, committee or trustee is or is likely to prove insolvent, or has neglected to exhibit true and perfect inventories, or render full and just accounts of such estate or property, come to his hands or knowledge, according to law, then and in every such case it shall and may be lawful for such court, or for the said president judge, to issue a citation to such executor, administrator, guardian, committee or trustee, requiring him to appear on a day certain, to answer the charge so preferred as aforesaid, and shall make all such necessary rules and orders as the said court or the said president judge thereof may deem right for bringing the matter complained of to a hearing; and if, on the hearing, the said court, or the said president judge and one associate judge, in vacation, shall be satisfied of the truth of the matters charged, the said court, or the said judges in vacation, if the case shall require dispatch, may, in their discretion, instead of requiring the security provided for in the twenty-second section of the act of the general assembly of this commonwealth, passed the twenty-ninth of March, one thousand eight hundred and thirty-two, vacate the letters of administration or testamentary, or commission, and remove such administrator, executor, guardian, committee or trustee, and award new letters or commission, to be granted by the register or by the court, in such form as the case may require, or appoint some suitable person to discharge such trust upon such security as the court may require; and shall moreover order and compel such executor, administrator, guardian, committee or trustee, to deliver over and pay to his successor all and every the goods, chattels and property, money, estate or effects in his hands as aforesaid.

SECTION 2. Whenever any sole executor, administrator, guardian, committee or trustee shall become incompetent to discharge the duties of their respective trusts, by reason of sickness or other visitation, and it shall appear to the satisfaction of the court having jurisdiction of these accounts, that such in-

competency is likely to continue, to the injury of the estates under their control, it shall be lawful for such court to make a decree vacating the letters testamentary or of administration granted to such executor or administrator, or revoking the appointment of such guardian, committee or trustee, after which new letters shall be granted and appointments made in the same manner as in other cases of vacancy in such trusts.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 642.

## AN ACT

Supplementary to an act to lay out a State Road in Clarion and Venango counties, approved the twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* George Means, John Klingensmith, and Charles Flick, be and they are hereby appointed re-viewers to re-view and lay out that portion of the road laid out under the provisions of the act to which this is a supplement, situate in Toby township, Clarion county; the said re-viewers to be governed by the provisions of, and receive the same compensation specified in the original act aforesaid.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 643.

## AN ACT

To change the mode of Criminal Proceedings in Erie and Union counties.

Justices authorized to hold monthly courts with jurisdiction over certain offences.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the several justices of the peace of the county of Erie and Union be and are hereby authorized to hold monthly courts, with jurisdiction to hear and determine, in the manner hereinafter provided, the several offences and misdemeanors mentioned in the thirtieth, thirty-first, forty-fourth, forty-sixth, sixty-ninth, seventy-second, ninety-seventh, one hundred and third, one hundred and twelfth, one hundred and fortieth, one hundred and forty-eighth, one hundred and fifty-second sections of the act of the thirty-first day of March, Anno Domini one thousand eight hundred and sixty, entitled "An Act to consolidate, revise and amend the penal laws of this commonwealth."

Proceedings in cases where the defendant pleads guilty.

SECTION 2. That whenever any person shall be brought before a justice on a warrant issued by said justice, founded on the oath or information of the party aggrieved, or of some one acting for the party aggrieved, the complaint or information shall be fully read aloud in the hearing of the defendant or party accused; and if the defendant shall plead guilty to the charge against him, the justice shall proceed to inquire into the circumstances of the case, so far as he shall think best for a proper understanding of the defendant's guilt, and shall proceed to pass sentence upon the defendant, which sentence shall have the full force and effect of a sentence pronounced by the court of quarter sessions in like cases, and the defendant shall be committed to the jail of the county until the sentence be complied with.

Trial by jury of six, relative to.

SECTION 3. If the defendant shall plead not guilty to the offence charged, and shall at the same time signify his determination to be tried by a jury of six, before the said justice, the justice shall make an entry to that effect upon his docket, and the defendant shall then enter into recognizance with good and sufficient surety or sureties, conditioned for his appearance before the said justice, at the ensuing monthly session, and not to depart without leave until discharged according to law; but if the defendant shall not enter into such recognizance as aforesaid, it shall be the duty of the constable to keep him or her safely, until duly discharged by course of law; and in either case the justice shall proceed to the trial of the cause, in the manner pointed out in the following sections of this act; but if the defendant shall not signify his or her determination to be tried before said justice, the justice shall proceed with the said defendant as if this act had not been passed.

Cases may be continued.

SECTION 4. Whenever a defendant shall signify his or her determination to be tried by a jury of six, before the justice of

the peace, for any of the offences of which a justice of the peace shall have jurisdiction, according to the provisions of the first section of this act, in the manner pointed out in the foregoing section, the said justice, upon such demand, is hereby required to continue the cause to the ensuing monthly court, and to issue a *venire*, directed to any constable of the proper borough, city, or township, where the said cause is to be tried, commanding him to summon six good and lawful men, citizens of said township, city or borough, and having the qualifications of electors therein, who shall be in nowise of kin to either defendant or complainant, nor in any manner interested, who shall be chosen as follows, to wit: The justice shall write in a panel the names of eighteen persons, from which the defendant or his agent or attorney shall strike one name, the complainant or prosecutor one, and so on alternately until each shall have stricken six names; and the remaining six shall constitute the jury, to be and appear before such justice at the time to which said cause shall have been adjourned, to serve as a jury for the trial of such cause: *Provided*, That in case either party shall neglect or refuse to aid in striking the jury as aforesaid, the justice shall strike the same in behalf of such party.

*Venire to be issued to constable*

*Jury, how chosen*

*Provido.*

SECTION 5. That it shall be the duty of such constable to make service of said *venire*, and to return the same with the names of the persons by him summoned, at the time appointed for the trial of the cause.

*Duty of constable.*

SECTION 6. That it shall be the further duty of such constable, to be in attendance on said court, at the time appointed for said trial, and during the progress of the same; and if by reason of challenge for cause, sickness or other disability, the persons whose names shall be returned by the *venire*, or any of them, shall not be empannelled as jurors, the said constable shall fill the panel from the bystanders, as is done by the sheriffs, in the courts of common pleas; and the said constable shall be allowed for his attendance on said court, one dollar per day, to be taxed in the bill of costs; and at the close of the trial, the jury shall be conducted by the constable to some private and convenient place, where they may deliberately and without interruption consult upon their verdict.

*Further duties of same.*

*Challenges, &c., relative to.*

*Pay of constable.*

SECTION 7. That the competence and credibility of witnesses, the form of the oaths to jurors and witnesses, and the constable who shall wait upon the jury, shall be the same as in the trial of the same offences in the court of quarter sessions, and the jury shall have the same jurisdiction and control over the payment of costs: *Provided*, That the county shall in no case be liable for either the prosecutor's or the defendant's bill of costs; and the justice, in case the jury shall, by their verdict, direct that the prosecutor or the defendant shall pay the whole or any part of the costs, shall proceed to pass sentence accordingly, and the party who shall be thus sentenced, shall be committed until the sentence be complied with.

*Competence of witnesses, form of oaths, costs, &c.*

*County never to be liable for costs*

SECTION 8. That the verdict of the jury shall be final and conclusive upon all the questions of fact involved therein, and no writ of *certiorari*, or of error or appeal, shall be allowed for the review of such case of fact so tried by the jury; and in case the proceedings shall be removed to a higher court upon

*Verdict to be final upon all questions of fact.*

**Writ of certiorari.** *certiorari* or otherwise, the district attorney shall thereafter conduct the proceedings in behalf of the commonwealth, and his fees shall be the same as upon indictments formed by the grand jury, to be taxed and paid as the other costs of the case; and if the proceedings shall be reversed on any *certiorari* or writ of error, sued out on behalf of the defendant, on account of any defect in the statement of the offence with which the party is charged, the court shall send the proceedings back to the justice for a new trial, and direct the district attorney and sworn to by the prosecutor, and thereupon the defendant shall be required to enter his plea to such amended information or accusation, and thereupon the new trial shall proceed before the justice as on the former meaning.

**Sentence.**

SECTION 9. That whenever the jury shall render a verdict of guilty, the justice shall proceed to pass sentence upon the defendant according to law, and with the like effect as if the defendant had plead guilty or then convicted in the court of quarter sessions; and any sentence of imprisonment which may be imposed, shall only be inflicted in the jail of the proper county; and all fines imposed shall be collected and paid into the school fund of the school district in which the offence was committed; and it shall be the duty of the justice to receive the amount of the fine and pay it into the treasury of the proper district, and any neglect to pay the same as aforesaid shall be considered a misdemeanor in office.

**Fines to be paid into school fund by justices.**

**Fees of justices and jurors.**

SECTION 10. That in all cases which shall be tried by a jury under the provisions of this act, the justice of the peace trying the same shall be entitled to a fee of two dollars, and each juror shall be entitled to fifty cents per day, to be taxed as costs.

**Jurors having no reasonable excuse for failure to attend to be fined.**

SECTION 11. That when any person shall be summoned to attend as a juror, and shall fail to attend at the time and place specified in the *venire*, having no reasonable excuse to assign for such failure, every such person shall be fined in any sum not exceeding ten dollars, for which fine the justice of the peace shall render judgment in the name of the commonwealth, and issue execution therefor, and when collected shall pay the same into the township, borough or city school treasury, for the use of the common schools therein.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 644.

## A N A C T

To incorporate the Danborough Live Stock Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Josiah Rich, Esq., John A. Loux, Esq., Samuel Nash, Daniel Corporators. Gotwals, Edward Yost, Christian Myers, William K. Large, Eleazar C. Shaw, Enos Hunsberger, Ephraim Walters, William Steckel, and such other persons as may be associated with them, are hereby created and erected into a body politic and corporate, by the name, style and title of the Danborough Live Style. Stock mutual insurance company, and by that name shall have Privileges. perpetual succession, and may sue and be sued, and use a common seal, and alter or change the same at pleasure; make all Seal. by-laws, rules and regulations as shall be necessary and con- By-laws. venient for the government of said corporation, not inconsistent with the constitution or laws of the United States or of this commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain to do for the well-being of said corporation and the management of the affairs thereof.

SECTION 2. That the affairs of said company shall be managed Officers. by a president, nine directors, secretary and treasurer, who shall be elected annually, by ballot, at such time and place as shall be directed by the by-laws; a majority of the directors shall be a quorum to do business, and in the absence of the president Quorum. may appoint one of their number as president *pro tempore*, and may appoint such other agents as they may deem necessary for Agents. the conducting the business of the company; said president, directors, secretary and treasurer shall hold their respective Terms of officers. offices until they shall be re-elected, removed from office or their successors duly qualified; and in case of death, resignation, or removal without the bounds of said company, the vacancy shall Vacancies. be filled by the board of directors until the next annual election; said president, directors, secretary and treasurer shall, before they enter upon the discharge of their respective offices, take Officers to take and subscribe an oath or affirmation to support the constitution oath. and laws of the United States and this commonwealth, and perform the duties of their office with impartiality and fidelity; which oath or affirmation shall be filed, by the secretary, among the papers of the company.

SECTION 3. That the president and directors shall have full Powers of president and directors power, on behalf of said corporation, to make all and every insurance pertaining to or connected with the risks of the lives of horses, mules and neat cattle, owned or belonging to the members thereof; and to make, execute and perfect such and so many contracts, bargains, agreements and policies as shall or may be required; and every such contract, agreement and policy,

Rates of insurance, fees, &c.

made by said corporation, shall be signed by the president and attested by the secretary, with the seal of the company thereunto affixed, and shall also be signed by the party insured.

SECTION 4. That the president and directors shall, at such times as they think proper, fix such rates of insurance and incidental charges and fees as may be deemed equitable and just; and persons effecting insurance in said company, shall pay the rates and premiums, thus fixed upon, before they receive their policies; and no premium or initiation fee so paid shall ever be withdrawn from the company during the continuance of its charter, and no policy shall be issued until application be made for insurance to the amount of twenty thousand dollars.

When policies may be issued.

Membership.

SECTION 5. That any person who resides in the townships of Plumstead, Solebury, Buckingham, Doylestown, New Britain, Hilltown, Bedminster, Tinicum, and Doylestown borough, in the county of Bucks, may become a member of this company by paying twenty-five cents to the secretary and subscribing to this act of incorporation and the by-laws made in pursuance thereof; but any member who has any horse, mule or cattle insured in this company, who removes out of the bounds aforesaid, or sells or disposes of any animal insured therein, such policies of insurance, or parts thereof, shall become null and void.

Policies to be void when the insurer removes, or disposes of stock.

Suits against company.

SECTION 6. That suits at law may be prosecuted and maintained by any member against said company, for losses or damages of property insured therein, if payment is withheld more than ninety days after the company is duly notified of such losses.

Investigation of losses.

SECTION 7. That when any member of this company sustains a loss of insured property, he shall give notice thereof to the president, and he shall appoint two of the directors to investigate the matter, who, after hearing the necessary evidence, upon oath, if required, shall determine the sum which said sufferer is lawfully entitled to; and in case the two cannot agree, they may call to their assistance a member of the company residing in the neighborhood, who shall act as umpire between the said directors; and when the sum agreed upon shall exceed the amount of available funds on hand, such sums as will be sufficient to pay the same, together with the necessary expenses, shall, without unnecessary delay, be assessed by the directors on the insurances, each member to pay in proportion to the amount he or she has insured.

Assessments to meet losses.

Secretary to publish estimate of losses and percentage of assessment.

Payment of assessments.

Default of payment.

Collector to be appointed.

SECTION 8. That it shall be the duty of the secretary to publish in two newspapers printed in Doylestown, the nearest estimate of the loss and the per centage falling upon the members of the company; and it shall be the duty of each and every member, within thirty days after the first publication of said notice, to pay into the hands of the treasurer his, her or their proportionable part of such rates as may be assessed by the directors; and each and every of them making default of such payment, shall forfeit and pay such additional per centage as the directors shall deem sufficient for collecting the same; and the directors shall also appoint a collector, who may be the treasurer, who shall be furnished with a warrant, signed by the president, authorizing him to collect the said rates and forfeit-

tures, and vesting in him all the powers and privileges usual to a collector of county rates and levies; and any member who refuses or neglects to pay as aforesaid, for the period of ninety days, such person's policy or policies shall become suspended until payment is made. Policies may be suspended.

SECTION 9. That in case of any animal, insured in this company, becoming so disabled through sickness or accident, that the owner thereof may consider the same worthless and incurable, he or she may make application to the president, who shall appoint a committee of directors as hereinbefore provided for; and it shall be the duty of said committee, without unnecessary delay, to examine and inquire into the condition of the said animal, and if, after having taken into consideration the best or all the evidence and information at their command, they are fully satisfied in their opinion that the said animal has become worthless and incurable, they shall direct the owner to kill the same, and proceed to appraise the loss as hereinbefore provided for. Animals disabled, if deemed worthless or incurable, to be killed and the loss appraised.

SECTION 10. That no horse or mule, kept for hiring out or driving in stages or omnibusses, nor boat or drove horses, shall ever be insured by this company. Certain animals not to be insured.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 645.

## A SUPPLEMENT

To an act to authorize Isaac Meason and Zachariah Connell, their heirs and assigns, to erect, build and maintain a Toll Bridge across the Youghiogheny river, at Connellsville, in Fayette county, passed the fifteenth day of March, A. D. 1800.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Mary Meason, George E. Hogg, and James H. White, the present owners of the bridge across the Youghiogheny river at Connellsville, in Fayette county, and those who may be associated with them, and their successors, are hereby created a body politic and corporate, in deed and in law, under the name of the Youghiogheny bridge company, and by said name they and their successors shall have perpetual succession, and shall Corporators.

Privileges.	be capable of suing and being sued, and shall have all the privileges and immunities of a corporation.
Capital.	SECTION 2. The capital stock of said company shall consist of eight hundred shares of twenty-five dollars each, transferable on the books of the company.
Officers.	SECTION 3. The officers of this company shall be a president and treasurer, who shall also be ex-officio secretary, and five managers, who shall be elected annually on the first Monday of May.
Rights, tolls, &c., same as under original act.	SECTION 4. The said company shall be entitled to the same rights, privileges, and to the same tolls and profits as the said Isaac Meason and Zachariah Connell were under the act to which this is a supplement; and the fifth and sixth sections of said act are hereby repealed.
Repeal.	

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 646.

## AN ACT

To amend the Charter of the Union Savings and Building Association of West Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the board of directors of the Union savings and building association of West Philadelphia, be and they are hereby authorized to issue from time to time, at periods of not less than six months apart, new stock in the said corporation, in series of not more than three hundred shares, and receive payments thereon, in the manner provided by the charter, until such stock shall become worth two hundred dollars: Provided, That before issuing any new stock, the said board shall fix the proportionate value of stock in each series previously issued, to the stock in the series about to be issued; and whenever the shares of stock in any series shall become worth two hundred dollars, the said board shall cancel such shares by paying therefor to the holders thereof, the said sum of two hundred dollars, from the funds of the said corporation: And provided, That the stock in the said corporation, outstanding and subsisting at any one time, shall not exceed two thousand five hundred shares: And pro-*

*vided, That the court of common pleas of the city and county of Philadelphia shall at all times have full power and authority to improve, amend or alter the charter of the said corporation, in the manner provided by the fourteenth section of an act, passed the thirteenth day of October, one thousand eight hundred and forty, entitled "An Act relating to orphans' courts, and for other purposes."*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 647.

## AN ACT

To incorporate the Potter County Forest Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Charles Bushor, Charles Keutgen, John H. Harjes, F. Altstatt, David G. Yuengling, A. Forster, William Radde, P. A. Stebbins, Edward Wiler, Oscar Zollikoffer, H. E. Sarkmann, E. Meyer, Charles Haeseler, T. T. Kaufmann, B. Westermann, their associates and successors, be and are hereby created and declared a body politic and corporate, in law, under the name, style and title of the Potter County Forest improvement company, and by that name shall be able and capable in law to have and use a common seal, to sue and be sued, to plead and be impeaded, and do all such things as are incident to a corporation.*

SECTION 2. *That said corporation shall have power to improve and settle wild lands in the said county of Potter, and encourage the improving and settling thereof by purchasing said lands in the said county of Potter, clearing and cultivating the same, building houses and saw mills thereon, and laying out roads, so as to render the same habitable and fit for use and occupation, and by selling and disposing of the same in small and convenient quantities, to settlers, at fair and reasonable prices, and do such other acts as will best accomplish this object; that the capital stock of said corporation shall consist of two thousand shares, of one hundred dollars each, with power to increase the same, as the object of the corporation may require, and as the*



- stockholders may direct: *Provided however*, That at no time shall the amount of land held by the said corporation exceed twenty-five thousand acres.
- Limitation of amount of land.**
- By-laws.** SECTION 3. That the said corporation shall have full power and authority to make all needful rules and regulations and by-laws for the government of said corporation, and to alter and amend the same as they may think expedient: *Provided*, That none of the said rules, regulations and by-laws shall be contrary or repugnant to the constitution or laws of the United States, or of this commonwealth.
- Proviso.**
- Government.** SECTION 4. That the government of this corporation, and the management of its affairs and property, shall be vested in a board of one president and six directors, who shall be elected annually, in such manner and at such times as the constitution and rules of said corporation may direct.
- Individual liability.** SECTION 5. The stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the privileges hereby granted shall not extend for a period longer than twenty years.
- Limitation.**

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 648.

## AN ACT

To incorporate the Great Council of the Improved Order of Red Men of the State of Pennsylvania.

### Preamble.

WHEREAS, The Improved Order of Red Men, an order instituted for the purpose of affording relief to such of its members as may be suffering from sickness or distress, or other causes, and for the furtherance of the general welfare of the members thereof, having organized a Great Council of the tribes, for the better government of the whole, and for the more effectual accomplishment of their charitable objects, desire, as a means for the better execution of the purposes of their organization, to be constituted a body politic and corporate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Great Council of the Improved Order of Red Men of the state of Pennsylvania is hereby constituted a body politic and corporate, in deed and in law, by the name, style and title of the Great Council of the Improved Order of Red Men of the state of Pennsylvania, which corporation shall consist of all persons who are now members or shall hereafter be admitted as such, agreeably to the constitution and by-laws of the said Great Council; and by the said corporate name shall have perpetual succession, and shall be forever capable in law to take, hold and sell real estate, in fee simple or otherwise, and to mortgage and let the same; and take and hold real or personal estate by gift, grant, devise or bequest, or other lawful means, and sell or dispose of the same; to have a common seal, and the same to break, alter and renew at pleasure; to sue and be sued, and generally to do all such matters and things that may be lawful and necessary for them to do for the furtherance of the objects recited in the preamble to this act.

SECTION 2. That the said Great Council shall, from time to time, establish and make and put into execution such constitution, by-laws, rules and regulations as may be passed from time to time by the Great Council, and the same to revoke, annul, alter or amend at pleasure: *Provided, That* the said constitution, by-laws, rules and regulations be not repugnant to the constitution and laws of the United States or of the commonwealth of Pennsylvania, nor repugnant to the provisions of this act.

SECTION 3. The legislature reserves the right to modify, alter or annul the privileges hereby granted; in such manner, however, as to do no injustice to the corporators.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*  
JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 649.

## A N A C T

To incorporate the Navy Yard, Broad Street and Fairmount Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

<b>Corporators.</b>	George H. Thomson, Robert Calcleugh, M. E. Rogers, Allen Robinett, Samuel S. Moon, Watson Malone, Jackson M'Abbe, Henry W. Andrews, William T. Morrison, Robert O. Lowry, John A. Clark, Samuel Simes, Samuel Williams, and their associates and successors, be and they are hereby constituted a
<b>Style.</b>	body politic and corporate, by the name, style and title of the Navy Yard, Broad Street and Fairmount railway company, and as such they shall have the right to lay out and construct a
<b>Privileges.</b>	railway over the same, along such route and streets as are hereafter provided for, to equip said road, and to purchase, hold and convey such real estate, and to erect thereon such buildings and improvements as they may deem necessary for the purposes of said corporation.
<b>Capital stock.</b>	SECTION 2. That the capital stock of said company shall consist of ten thousand shares of fifty dollars each.
<b>Route and connections.</b>	SECTION 3. That the said company are hereby authorized to lay out and construct, in such manner as railways are now constructed in the city of Philadelphia, a single or double track, commencing with a single track at or near the intersection of Broad street and Federal street, extending east along Federal street to Front street; thence south along Front street to Wharton street; thence west along Wharton street to Broad street; thence north with a double track along Broad street to Spring Garden street; thence west with a double track along Spring Garden street to Fairmount; and they shall have the right to connect their single track with their double track at Broad and Wharton streets, at Broad and Federal streets, and to make such turn-outs, connections and sidelings as may be necessary for the prosecution of the business of the company; and they shall have the right to cross at grade any other railroad, and by agreement to connect with and run over any other railroad now constructed, or which may hereafter be constructed in the city of Philadelphia; and further, shall have the right to extend
<b>May extend their railway.</b>	their railway by single or double track, from Broad and Wharton streets southwardly, and from Broad and Spring Garden streets northwardly, at such times as the company may determine that the convenience of the public requires such extension or extensions; and they shall enjoy all and singular the same privileges that are now or hereafter may be extended to any other railway company.
<b>Organisation.</b>	SECTION 4. That the parties hereinbefore named, or a majority of them, may proceed to organize said company and obtain subscriptions to the capital stock thereof; and after five thousand shares have been subscribed for, and ten per cent. paid on said subscriptions, then the subscribers shall proceed to elect
<b>Subscription to stock.</b>	a board of five directors, who shall serve until the first Tuesday in November following, and until their successors are elected; and the stockholders shall annually thereafter, on the first Tuesday in November, elect a similar board of five directors, to serve for one year and until their successors are elected; and if for any reason the said election shall not be held at the time appointed, then another time shall be appointed by the directors, after public notice of two weeks, in two daily newspapers, has been given; and said directors shall have power
<b>Directors, election of.</b>	to fill all vacancies which may occur in the board, from death,
<b>Vacancies.</b>	

resignation or otherwise; but no person shall act as a director, who is not a stockholder in said company.

SECTION 5. That the said directors shall have the power to **Officers.** appoint a president, treasurer, and such other officers as they may deem necessary and expedient; and in all elections for directors, and at all meetings of stockholders, each share represented, either in person by the owner, or by proxy, shall entitle the holder to one vote; but no stockholder or assignee shall **Votes.** vote upon any share of stock on which an instalment is due and unpaid.

SECTION 6. That the directors of said company shall have **Seal.** the power to make and have a common seal, and the same to alter and renew at pleasure, and also to establish such **By-laws.** by-laws and regulations as may seem to them necessary to the good government of said corporation, the same not being inconsistent with the constitution and laws of the United States, or of this state; and they shall generally do and perform all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of the said corporation and the proper management of the affairs thereof.

SECTION 7. That the said company shall have the power to **May borrow money and issue bonds.** borrow money in any sum not exceeding in amount one-half of its authorized capital stock, at a rate of interest not exceeding seven per centum per annum, and for the purpose of securing re-payment of the same, and the interest thereon, to issue bonds; and the said bonds shall be further secured by a mortgage of and on said railway so constructed or to be constructed, **Mortgage.** and the corporate rights and franchises granted by this act; the principal sum so borrowed, shall be made payable at such time as the directors may deem advisable; but no bond shall be issued for a sum less than one hundred dollars.

SECTION 8. That dividends of so much of the profits of the **Dividends.** said company as shall appear desirable to the directors, shall be declared from time to time, and shall be paid after ten days notice, to the stockholders, at the office of the company; but said dividends shall in no case exceed the net profits of the company earned at the time of the declaring of said dividend.

SECTION 9. That when the Pennsylvania railroad company **Broad street, from South to Chestnut, to be placed in proper condition.** shall complete their connection with the Philadelphia, Wilmington and Baltimore railroad, and the councils of the city of Philadelphia shall direct the removal of the rails now laid in Broad street, from South street to Chestnut street, the Navy Yard, Broad Street and Fairmount railway company shall, with the appurtenances and materials thus removed, be required to place said Broad street from South to Chestnut street, in such condition, as far as the paving, curbing and macadamizing is concerned, as will accord with any plan which may be adopted for the improvement of said street, by the councils of said city.

SECTION 10. That the said company shall be compelled to **Portions of streets used to be kept in repair.** keep in constant repair that portion of the street which they use and occupy, and subject to such ordinances of councils as relate thereto, not inconsistent with this act, and shall pay such taxes and tolls as are now or may hereafter be imposed by **Taxes and tolls imposed by councils.** the councils of the said city, not exceeding in rate or amount that paid by any other railway company in the said city; and

Subject to.

further, they shall be subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, in so far as the same is not altered, interfered with, or supplied by this act.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

We do certify that the bill, No. 411, entitled "An Act to incorporate the Navy Yard, Broad Street and Fairmount railway company," was presented to the governor on the seventeenth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,

*Clerk of the House of Representatives.*

RUSSELL ERRETT,

*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

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No. 650.

## A N A C T

Entitled "An Act to change the place of holding elections in Napier township."

WHEREAS, The place of holding elections in Napier township, Bedford county, is now held at the school house in the borough of Schellsburg:

And whereas, The election is held entirely at one side of said township; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all general, special and township elections of Napier township, in the county of Bedford, shall be held at school house number ten, near the house of James Allison, in said township.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

We do certify that the bill, No. 547, entitled "An Act to change the place of holding elections in Napier township," was presented to the governor on the ninth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

No. 651.

## AN ACT

Supplementary to an act to incorporate the North Philadelphia Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the North Philadelphia Passenger railway company be and they are hereby authorized and empowered to adopt and use, for the purpose of drawing and propelling their cars, on any road or railway which they now have built and constructed, and also on any road which they may hereafter build and construct, under any power or authority whatever, steam passenger cars: *Provided*, That no cars propelled by steam upon said road shall be permitted to run south of Columbia avenue. Authorized to use steam passenger cars.

SECTION 2. That should said road, or any part thereof, be sold, at judicial sale, under any judgment obtained on the mortgage which is now on said road, for any sum less than the price or sum which said company have contracted to give for the building and construction of said road, then Emanuel Peters, the builder and constructor thereof, his legal representatives or assigns, shall have the right, at any time within three years from the date of such sale, to claim or redeem the road, which shall have been sold as aforesaid, from any person or persons who shall have purchased the same at said sale, by paying to such purchaser or purchasers the price or sum which he, she or they shall have paid for the same, with interest, at said sale; and the purchaser or purchasers at said sale, upon being paid or tendered the price or sum for which said road shall have been sold as aforesaid, shall make, execute and deliver a good and lawful deed for said road to the said Emanuel Peters, his legal representatives or assigns; and thereupon the said Emanuel Peters may redeem the road if sold under judgment on mortgage at less than cost. Terms. Deed.

Rights, powers,  
&c., vested.

Emanuel Peters, his legal representatives or assigns, shall be vested with all the rights, powers, privileges, immunities, franchises and appurtenances which shall have belonged to and been enjoyed by said company, at the time of said sale.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

We do certify that the bill, No. 407, entitled "An Act supplementary to an act to incorporate the North Philadelphia Passenger railway company," was presented to the governor on the ninth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,

*Clerk of the House of Representatives.*

RUSSELL ERRETT,

*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

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No. 652.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the Philadelphia and Olney Railroad Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said the Philadelphia and Olney railroad company is hereby authorized to commence the construction of their road at Sixth and Diamond streets, and from time to time, as their means will permit, to construct and use the same northward of said point, with the privilege of ten years from the passage of this act to complete their said railroad northward and southward to the respective termini mentioned in the act to which this is a supplement: Provided, That until Fifth street is opened and in public use, from Nicetown lane to Wyoming avenue, the said company may occupy and use said Nicetown lane and Woodpecker lane to the intersection of the latter with Second street: And provided further, That nothing herein contained shall be so construed as to authorize the said company to exceed the limits of*

the route allowed them by the act to which this act is a supplement.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

We do certify that the bill, No. 1035, entitled "A supplement to an act, entitled 'An Act to incorporate the Philadelphia and Olney railroad company,'" was presented to the governor on the eighteenth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution, become a law in like manner as if he had signed it.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

No. 653.

## A FURTHER SUPPLEMENT

To the act to incorporate the West Philadelphia Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the West Philadelphia Passenger railway company shall have power and authority to extend their road along Market street, from the present terminus of their road at Third street, to Front street, to be constructed and used in conformity with the provisions of the act to which this is a supplement.

SECTION 2. That at all elections for directors, after the passage of this act, each and every share of the stock of said company shall entitle the holder or holders thereof to one vote.

SECTION 3. That the said the West Philadelphia Passenger railway company shall annually pay into the treasury of the city of Philadelphia, for the use of the said city, whenever the dividends, declared by said company, shall exceed six per cent. per annum on the capital stock thereof, a tax of six per centum on such excess over six per centum thus declared.

SECTION 4. That so much of the act incorporating this company, as may be altered or supplied by this act, or which may

Extension authorized.

Tax upon excess of dividends to be paid into city treasury.

Repeal.



Proviso.

be inconsistent herewith, be and the same is hereby repealed: *Provided*, That nothing herein contained shall authorize the change of any part of the route of the said road, in the Twenty-fourth ward, as located by the act incorporating said company.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

We do certify that the bill, No. 325, entitled "A further supplement to the act to incorporate the West Philadelphia Passenger railway company," was presented to the governor on the seventeenth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,

*Clerk of the House of Representatives.*

RUSSELL ERRETT,

*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

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No. 654.

## A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Philadelphia and Delaware River Railroad company," approved the fourth day of April, Anno Domini one thousand eight hundred and fifty-four.

Sale of portion of  
real estate au-  
thorized.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Frankford and Southwark Philadelphia City Passenger railroad company (formerly known by the corporate name of the Philadelphia and Delaware River railroad company) be and they are hereby authorized and empowered to sell and convey such portion of the real estate now owned by them as the board of directors may deem it unnecessary for the said company to hold for the uses and purposes of the said railroad; such sales to be made either at public or private sale, and for such prices and upon such terms as the said board of directors may think fit.

May lay track in  
Washington  
street, or connect  
with road now  
constructed.

SECTION 2. The said railroad company are hereby authorized to construct and lay a railway track in Washington street, in the Second ward, in the city of Philadelphia, and connect the same with their railroad in Fifth street and Sixth street, in the

city; or the said company may connect their roads in and Sixth streets with any railroad now laid in said hington street, or use, for the purpose of making such connection, any part of such existing railroad: *Provided*, The *Proviso*.  
 ers of such railroad consent thereto: *And provided*, That *Proviso*.  
 ing herein shall be construed to authorize the Frankford Southwark Philadelphia City Passenger railroad company se, as aforesaid, any part of said Washington street, except between Fifth and Sixth street; nor to authorize the said pany to use the said road for the transportation of freight, may, in the same, for baggage: *And provided further*, That *Proviso*.  
 said company shall not use any railroad hereby authorized be built, or used in such way as to diminish the present eling facilities upon that portion of their road which is th of said Washington street.

SECTION 3. The said company are hereby authorized to lay a *Authorized to*  
 gle track of railroad in Powell street, in the Fifth ward, and *lay track in*  
 nect the same with their road in the said Fifth and Sixth *Powell street*.  
 eets.

SECTION 4. That so much of the fourth section of an act ap- *Repeal*.  
 oved June ninth, Anno Domini one thousand eight hundred d fifty-seven, entitled "A supplement to an act to incorporate e Philadelphia and Delaware River railroad company, passed oril fourth, one thousand eight hundred and fifty-four," as ows the said company to occupy the streets in the said act entioned, for no longer a period than twenty years, be and e same is hereby repealed; and the right of the corporation erein named, and the right of the Frankford and Southwark hiladelphia City Passenger railroad company to occupy the reets therein mentioned, for the purposes in the said act men- oned, shall be held to have been granted as if the restriction i the said fourth section had never formed part thereof.

SECTION 5. The said corporation is hereby authorized to invest *Investment of its*  
 sinking fund, contingent fund or repair fund, in the loans or *sinking, contin-*  
 apital stock of any railroad or plank road company incorpo- *gent or repair*  
 ated by the commonwealth of Pennsylvania, and located in *fund*.  
 he city of Philadelphia: *Provided*, The amount shall not ex- *Proviso*.  
 ceed twenty thousand dollars in any one corporation.

SECTION 6. That no provision in the act incorporating the *Construction of*  
 said company, or in any of the acts of assembly forbidding the *provision rela-*  
 said company from carrying freight, shall be construed to pro- *tive to carrying*  
 hibit or forbid the said company from carrying the baggage of *freight*.  
 passengers using their cars.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

We do certify that the bill, No. 787, entitled "A further sup-  
 plement to an act to incorporate the Philadelphia and Delaware  
 River railroad company," approved the fourth day of April,  
 Anno Domini one thousand eight hundred and fifty-four," was  
 presented to the governor on the seventeenth day of April,  
 Anno Domini one thousand eight hundred and sixty-one, and  
 was not returned within ten days (Sundays excepted) after it-

had been presented to him ; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

No. 655.

## A SUPPLEMENT

To the act incorporating the Ironton Railroad Company of Lehigh county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the word "Ballietville," in the twenty-fourth line in section first of the enrolled copy of said act be and the same is hereby changed to "Ironton."

Word "Ballietville" changed to "Ironton."

Proviso added to fourth section.

**SECTION 2.** That the following proviso be added to the fourth section of said act, to form part thereof, to wit: *Provided, That* no such mortgage shall be created, nor bonds issued, unless the same shall be first authorized by the owners of three-fourths of the capital stock of said company, at a meeting to be called for that purpose, thirty days notice whereof shall be given in one newspaper published in Philadelphia, and one published in Lehigh county.

Empowered to purchase lateral railroads.

Subject to.

**SECTION 3.** That said company shall have power to purchase any lateral or branch railroad that may hereafter be constructed to connect with their own railroad, and upon any such lateral or branch road so purchased ; they shall be subject to all the restrictions and entitled to all the privileges contained in the act incorporating said Ironton railroad company.

May cross public highways in making extensions, &c.

**SECTION 4.** That whenever said company shall desire to make any branch, siding, turn-out or extension to any mines or quarries, and shall have first obtained the consent of the land-owners through which said branch is to pass, they shall have the right to cross any intervening public highway.

Increase of capital stock authorized.

**SECTION 5.** That said company shall have power to increase their capital stock to such an amount as they may deem expedient: *Provided, That* said increase shall not exceed two hundred thousand dollars.

Branches to iron ore mines.

**SECTION 6.** That the said Ironton railroad company shall have power to make one or more branches from their railroad to any of the iron ore mines, not exceeding six miles distant

on said road, and be entitled to the same privileges thereon, and be subject to the same restrictions, as contained in the act incorporating said company.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

We do hereby certify that the bill, entitled "A supplement to an act incorporating the Fronton railroad company of Lehigh county," was presented to the governor on the eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one, and was not returned within three days after the meeting of the present legislature; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if it had been signed.

E. H. RAUCH,  
*Clerk of the House of Representatives*

RUSSELL ERRETT,  
*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

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No. 656.

# AN ACT

To change the place of holding elections in the township of Little Beaver, Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the general and township elections in the township of Little Beaver, county of Lawrence, shall be held at the house now occupied by James Law, at Enon station.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

We do certify that the bill, No. 759, entitled "An Act to change the place of holding elections in the township of Little Beaver, Lawrence county," was presented to the governor on the ninth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably

to the constitution of this commonwealth, become a law in the manner as if he had signed it.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

No. 657.

## AN ACT

Relating to Railroad Companies.

Railroad companies empowered to merge their corporate rights and franchises in other chartered companies.

Conditions of consolidation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for any railroad company chartered by this commonwealth, to merge its corporate rights, powers and privileges, into any other railroad company so chartered, connecting therewith, so that by virtue of this act such companies may be consolidated, and so that all the property, rights, franchises and privileges then by law vested in such company so merged, may be transferred to, and vested in the company into which such merger shall be made.

SECTION 2. That such consolidation and merger shall be made under the following conditions and restrictions, to wit:

I. The directors or managers of each corporation may enter into a joint agreement, under the corporate seal of each company, for the consolidation of the said companies and of such merge, prescribing the terms and conditions thereof, and the manner of converting the capital stock of the said company so to be merged into the stock of the company into which such merger shall be made, and all other such provisions as they shall deem necessary to perfect the said consolidation and merger.

II. Said agreement shall be submitted to the stockholders of each of such companies, at a meeting thereof, called separately: of the time, place and object of which meeting due notice shall be given by publication once a week for two successive weeks, before said meeting, in one newspaper published in each of the counties through or into which the railroads of said companies respectively shall or may be authorized to extend; and at said meeting the said agreement shall be considered and a vote by ballot, in person or by proxy, taken, for the adoption or rejection of the same—each share entitling the holder thereof to one vote: and if a majority of all the votes cast at each of such meetings shall be in favor of said agreement, consolidation and merger.

then that fact shall be certified by the secretary of such company, and said certificate, together with a copy of the agreement, shall be filed in the office of the secretary of the commonwealth; whereupon the said agreement shall be deemed and taken to be the act of consolidation of said companies.

SECTION 3. That upon the filing of the said certificate and copy of agreement, in the office of the secretary of the commonwealth, the said merger shall be deemed to have taken place, and the said companies to be one corporation, possessing all the rights, privileges and franchises theretofore vested in either of them; and all the property, real, personal and mixed, and debts due and rights of action, shall be deemed and taken to be transferred to, and vested in the company into which such merger may have been made, without further act or deed; and all property, all rights of way, and all other interests, shall be as effectually the property of such company or corporation into which such merger may have been made, as they were of either of the former corporations, parties to said agreement: *Provided*, That all rights of creditors and all liens upon the property of either of said corporations, shall continue unimpaired, and the respective corporations may be deemed to be in existence to preserve the same; and all debts, duties and liabilities of either of said companies, shall thenceforth attach to the consolidated company, and may be enforced against it to the same extent, and by the same process, as if said debts, duties and liabilities had been contracted by it: *And provided further*, That in case of any differences or inconsistencies of any nature, between the acts regulating said companies respectively, then the said consolidated company shall in all respects be regulated by the laws then governing and applicable to that company into which such merger may have been made: *And provided further*, That a certified copy of the said certificate and copy of agreement, so to be filed in the office of the secretary of the commonwealth, shall be evidence of the lawful holding and action of such meetings, and of the consolidation of said companies, and of the said merger: *And provided further*, That if any stockholder or stockholders of any railroad companies shall be dissatisfied with, or object to any such consolidation, then it shall and may be lawful for any such stockholder or stockholders, within thirty days after the execution of said agreement for consolidation, to apply by petition to the court of common pleas of the county in which the chief office of the said companies may respectively be held, to appoint three disinterested persons to estimate and appraise the damage, if any done to such stockholder or stockholders, by said proposed consolidation, and whose award, or that of a majority of them, when confirmed by the said court, shall be final and conclusive; and the persons so appointed shall also appraise the share or shares of said stockholders in the said company, at the full market value thereof, without regard to any depreciation in consequence of the said proposed consolidation; and the said company may, at its election, either pay to the said holder the amount of damages so found, or the value of the stock so ascertained; and upon payment of the value of the stock as aforesaid, the said stockholders shall transfer the stock so held by them, to said company, to be disposed of by

Effect of merger.

Rights of creditors and liens to remain unimpaired.

Differences between acts regulating companies consolidated, relative to.

Certified copy of certificate and agreement filed, to be evidence of merger.

Stockholders dissatisfied may petition court for appointment of persons to estimate damage.

Award to be confirmed by court.

Shares of dissatisfied stockholders to be appraised at market value.

Company may either pay damages or the value of stock.

Transfer of same.

## LAWS OF PENNSYLVANIA,

the directors of said company, or be retained by them for the benefit of the remaining stockholders.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

We do certify that the bill, entitled "An Act relating to railroad companies," was presented to the governor on the eleventh day of April, one thousand eight hundred and sixty-one, and was not returned within three days after the meeting of the present legislature; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if it had been signed.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

No. 658.

## AN ACT

To incorporate the Lombard and South Street Passenger Railway Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Commissioners.** James S. Kerr, Charles A. Rubicam, Edward S. Lawrence, Robert Harmer, Samuel M'Manemy, Joseph W. Souder, Andrew Morrow, John Wilson, William B. Mann, Francis M'Ilwain, John M'Carty are hereby appointed commissioners to open books, receive subscriptions, and organize a company, and that they and their associates and successors be and they are hereby constituted a body politic and corporate by the name, style and title of the Lombard and South Street Passenger railway company; and as such they shall have power to lay and construct a railway in the city of Philadelphia, and carry passengers along such route and streets as are hereinafter provided for; and they shall have the right to charge such rate of fare as the directors of said company may from time to time determine upon, and to equip said road, to purchase, hold and convey such real estate, and to erect thereon such buildings and improvements as they may deem necessary for the purposes of said company.

**Style.**  
**Powers.**

**Capital stock.** **SECTION 2.** That the capital stock of said company shall consist of two thousand shares of fifty dollars each, with the privi-

age of increasing the same to twenty-five hundred shares; said increase, before being made, shall be approved of by the stockholders of said company at a meeting called for that purpose.

SECTION 3. That the said company is hereby authorized to lay Route.  
a single track of railway, commencing at or near the intersection of Front and South streets, extending west along South street to Chippewa street; thence north along said Chippewa street to Lombard street; thence east along said Lombard street to said Front street; thence south along said Front street to the place of beginning; and further, that they shall have the right to make such sidings and turnouts as may be necessary to carry on the business of the company; and if the directors of said company shall deem proper, they shall have the right to lay a double track along Sutherland avenue, commencing at South street, extending to any point at or near the Pennsylvania railroad bridge now in the course of construction. Said company shall have the privilege of laying a single track south-west along Passyunk road to the banks of the river Schuylkill; thence south along the banks of river Schuylkill to Beggar's lane; thence east along said lane to Rope Ferry road; thence northwardly along Rope Ferry road to said Passyunk road, with the right to lay such sidings on Passyunk road, between South street and said Rope Ferry road, as said company shall determine and deem necessary.

SECTION 4. That whenever a bridge shall be constructed over the river Schuylkill, by the city of Philadelphia, at Lombard, South or any street south of Locust street, or whenever any such bridge over the river Schuylkill, within the limits named, shall come into the possession of the said city, then the said Lombard and South Street Passenger railway company shall have the right and privilege to extend their railway, by single or double track, to and over said bridge, upon such terms as may be agreed upon between the said company and the councils of said city; and further, to continue their railway tracks to and along said Lombard and South streets, on the west side of the river Schuylkill, in like manner as they are herein authorized on the east side of said river; and further, to lay out a railway on any two streets they may deem advisable, running north and south on the west side of said river, between said Lombard and South streets, for the purpose of making their circuit complete. Whenever the said bridge at South street shall be completed, the Philadelphia and Darby railroad company shall have the right to connect with the said Lombard and South Street railway, and to use the tracks of the same by running all their cars, which make the full trip to and from Darby, over said tracks, for which use the said Philadelphia and Darby railroad company shall pay a fair compensation, to be mutually agreed upon; and in case the said companies cannot agree upon such terms, then the court of common pleas of the city of Philadelphia shall, upon petition presented by either party, appoint three disinterested persons, who shall fix the amount to be paid for the said use of tracks of the said Lombard and South Street railway company, and the decision of any two of whom in the premises, when confirmed by the said court, shall be final and conclusive: *Provided*, That the persons so appointed shall be

Authorized to extend their railway, when bridge over Schuylkill has been constructed by, or come into possession of city.

Terms.

Further privileges granted.

Philadelphia and Darby railroad company may connect and use tracks.

Compensation therefor.

In case of disagreement court to appoint persons to fix the amount to be paid.

Confirmation of report by court.



Persons appointed to be sworn. duly sworn or affirmed before entering upon the discharge of their duties; and shall file their report in the prothonotary's office, in said court, within thirty days after their appointment as aforesaid.

Report to be filed in prothonotary's office.

Organisation.

Subscriptions.

Directors.

Vacancies.

Officers.

Votes.

Seal.

By-laws.

May borrow money and issue bonds.

Proviso.

Dividends.

SECTION 5. That the parties hereinbefore named, or a majority of them, may proceed to organize said company and obtain subscriptions to the capital stock thereof; and after one thousand shares have been subscribed for, and ten per centum paid thereon, then the subscribers shall proceed to elect a board of five directors, who shall serve until the first Tuesday in November following, or until their successors are elected; and the stockholders shall, annually thereafter, on the first Tuesday in November, elect a similar board of five directors, to serve for one year, or until their successors are elected; and if, for any reason, said election shall not be held at the time indicated, then another time shall be appointed by the directors, after public notice of two weeks has been given in one daily newspaper published in the city of Philadelphia; and the directors shall have power to fill all vacancies in their board, whether from death, resignation or otherwise; but no person shall act as a director who is not a stockholder.

SECTION 6. That the said directors shall have the power to appoint a president, treasurer and such other officers as they may deem necessary; and in all elections for directors, and at other meetings of stockholders, each share shall entitle the holder thereof to one vote; but no stockholder or assignee shall vote upon any share of stock on which an instalment is due and unpaid.

SECTION 7. That the said company shall have the power to make and have a common seal, and the same to alter and renew at pleasure; and also establish and execute such by-laws and regulations as appear to be necessary for the government of said corporation, the same not being inconsistent with the constitution of the United States and of this state; and they shall generally do and perform all and singular the matters and things which to them it shall lawfully appertain to do, for the well being of said corporation and proper management of the affairs thereof.

SECTION 8. That the said company shall have the power to borrow money, in any sum not exceeding in amount one-half of its authorized capital stock, at a rate of interest not exceeding seven per centum per annum; and for the purpose of securing the re-payment of the same, and the interest thereon, to issue bonds; the principal sum shall be made payable at such time as the directors may deem advisable; and the said bond shall be further secured by a mortgage of and on the said railway so constructed, and the corporate rights and franchises granted by this act: *Provided*, No bonds shall be issued for a sum less than one hundred dollars; and they shall have the right to create a sinking fund for the redemption of said bonds.

SECTION 9. That dividends of so much of the profits of the said company as shall appear desirable to the directors, shall be declared, from time to time, and shall be paid after ten days notice to the stockholders, at the office of the company; but

said dividends shall, in no case, exceed the net earnings of the company.

SECTION 10. That the said company shall be subject to all the Subject to. ordinances of the councils of the said city, and shall be subject to pay such taxes as are now imposed by the said councils, not Taxes. exceeding, in rate or amount, that paid by any other passenger railway company in the said city; and further, shall be subject to all the provisions of an act regulating railroad companies, approved nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same are not altered and supplied by this act.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

We do certify that the bill, entitled "An Act to incorporate the Lombard and South Street Passenger railway company," was presented to the governor on the eighteenth day of April, A. D. one thousand eight hundred and sixty-one, and was not returned within three days after the meeting of the present legislature; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if it had been signed.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

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No. 659.

## A N A C T

To change the place of holding the elections in Perry township, Snyder county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the general, special and township elections for the township of Perry, in the county of Snyder, shall hereafter be held at the public house now kept by Peter Laubenstein, in said township.*

J. H. SELTZER,  
*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

We do certify that the bill, No. 1079, entitled "An Act to change the place of holding the elections in Perry township, Snyder county," was presented to the governor on the eighteenth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,

*Clerk of the House of Representatives.*

RUSSELL ERRETT,

*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

No. 660.

## A N A C T

Relating to Brokers and Private Bankers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Brokers and private bankers required to make return under oath to auditor general of receipts from commissions, discounts, &c.

every stock broker, bill broker, exchange broker, real estate broker and private banker in this commonwealth shall, on or before the first Monday of December next, and on or before the same day in each year thereafter, make a written return, under oath or affirmation, to the auditor general of this commonwealth, in which return he shall exhibit and set forth the full amount of his receipts from commissions, discounts, abatements, allowances and all other profits arising from his business during the year ending with the thirtieth day of November preceding the date of such annual return, and shall forthwith pay into the state treasury three per centum upon the aggregate amount contained in such return for the use of the commonwealth; all revenues derived from this source are hereby appropriated to the sinking fund, to be applied, under the direction of the commissioners thereof, to the payment of the interest and reduction of the principal of the public debt, in like manner as other revenues appropriated to that fund are now applied.

Three per cent. upon the aggregate to be paid into state treasury.

Appropriated to sinking fund.

Names of person or persons, location, and amount of capital invested to be reported.

SECTION 2. That every stock broker, bill broker, exchange broker, real estate broker and private banker in this commonwealth, whether the business be conducted by an individual, or more than one person in partnership, shall within three months after the passage of this act, and all others who shall hereafter engage in such business in this commonwealth within sixty days after they commence the same, make a report to the auditor general in writing, and under oath or affirmation, setting

forth the name of the person so employed, if an individual, or if a partnership, the names of all the individuals composing the same, and the name of the firm, the location or place where such business is transacted, and the amount of capital invested thereon, if any.

SECTION 3. That any stock broker, bill broker, exchange broker, real estate broker or private banker in this commonwealth who shall neglect or refuse to make the return and report required by the first and second sections of this act, shall for every such neglect or refusal, be subject to a penalty of one thousand dollars, which penalty shall be collected on an account settled by the accountant officers, as taxes on bank dividends are now settled and collected, and shall not be relieved from paying the amount which he is liable to pay to the commonwealth, under the provisions of the first section of this act, on account of his having been required and compelled to pay the said penalty. Penalty for neglect to make return and report.  
How to be collected.

SECTION 4. That all brokers and private bankers shall be required to pay license as heretofore, in addition to the amounts which they shall be required to pay under the provisions of this act. License to be paid.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

We do certify that the bill, No. 804, entitled "An Act relating to brokers and private bankers," was presented to the governor on the eighteenth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

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No. 661.

## A N A C T

To change the place of holding elections in Upper Mahantango township, Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

## LAWS OF PENNSYLVANIA,

from and after the passage of this act, all special, general and township elections in the township of Upper Mahantango, Schuylkill county, shall be held at the public house now kept by Daniel S. Herb, in said township.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

We do certify that the bill, No. 763, entitled "An Act to change the place of holding the elections in Upper Mahantango township, Schuylkill county," was presented to the governor on the ninth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

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No. 662.

## A N A C T

To incorporate the Rescue Hook and Ladder Company of the Twenty-third ward, in the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Corporators.	Samuel Ford, Edward V. O'Neill, George Greenhalsh, Michael Shuster, Thomas Dickson, and all others who are or may hereafter be associated with them, shall be and they are hereby created and declared to be one body politic and corporate, by the name,
Name.	style and title of the Rescue hook and ladder company of the Twenty-third ward of the city Philadelphia, and by the same name shall have perpetual succession, and shall be able to sue and
Privileges.	be sued, plead and be impleaded in any court of record or elsewhere; and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements, rents, annuities, liberties, franchises and hereditaments, goods and chattels, of what nature, kind or quality soever, real, personal or mixed, or choses in action, and the same from time to time to sell, grant, devise, alien and dispose of: <i>Provided,</i> That the clear value or income of the
Proviso.	necessary houses, lands and tenements, rents, annuities, or other

hereditaments and real estate of the said corporation, and the interest of the money by it lent, shall not exceed the sum of three thousand dollars; and also to make and have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to this charter or the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of this corporation and the due management and ordering of the affairs thereof.

SECTION 2. That the object of said corporation shall be the promotion of the general good, by the extinguishment of fires, and the protection of property endangered thereby.

SECTION 3. The legislature reserves the right to amend, alter or annul the chartered privileges granted by this act.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

We do certify that the bill, No. 292, entitled "An Act to incorporate the Rescue hook and ladder company of the Twenty-third ward, in the city of Philadelphia," was presented to the governor on the ninth day of April, one thousand eight hundred and sixty-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

E. H. RAUCH,  
*Clerk of the House of Representatives.*

RUSSELL ERRETT,  
*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

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No. 663.

## A N A C T

To incorporate the Nesquehoning Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Leisenring, Thomas L. Foster, J. B. Moorhead, Jacob P. Jones, Samuel E. Stokes, R. Hare Powell, Andrew Manderson, James S. Cox and Samuel Hepburn, and such other persons as

**Style.** shall become shareholders, be and they are hereby incorporated into a body corporate, in deed and in law, under the name  
**Subject to.** style and title of the Nesquehoning Valley railroad company, with all the powers and subject to all the restrictions of the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

**Capital.** SECTION 2. That the capital stock of said company shall consist of ten thousand shares, of fifty dollars each: *Provided,*  
**May increase the same.** That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as, in their opinion, may be necessary to complete the said road, and carry out the true intent and meaning of this act, not exceeding thirty thousand additional shares.

**Limitation.** SECTION 3. That the said company shall have the right to build and construct a railroad, from the Lehigh canal, near the mouth of Nesquehoning creek, in the county of Carbon, to the head waters of said creek, or thereabout; and also to construct branch roads, not exceeding ten miles in length each, with the privilege of connecting with the Lehigh canal, the Beaver Meadow railroad, the Lehigh Valley railroad, the coal mine road of the Lehigh coal and navigation company, in Nesquehoning and Panther Creek valleys, and such other railroads as are now or may be hereafter constructed contiguous to the said Nesquehoning Valley railroad, or its branches, as aforesaid.

**Empowered to construct road.** SECTION 4. That the president and directors of said company are hereby authorized and empowered to issue, sell and transfer the capital stock of the said company, and to apply the proceeds thereof to the construction of the railroad authorized by this act, and of the cars, engines, buildings and other appurtenances necessary for the transportation of passengers, coal and other commodities; and to borrow such sums of money as they may deem necessary for the purposes aforesaid, not exceeding five hundred thousand dollars, to issue their bonds or obligations for the same in sums of not less than one hundred dollars each, and to mortgage the road, property and franchises of the company as security therefor, and to provide for the conversion of such bonds or obligations into the capital stock of the said company, if they shall deem the same expedient.

**Route.** SECTION 5. That at all general meetings or elections for officers, the holder of each bond for one hundred dollars and upwards shall be entitled to two votes for each one hundred dollars of such bond or bonds.

**Branches and connections authorized.** SECTION 6. That it shall be lawful for railroad, coal and navigation companies, connecting with said railroad or forming continuous lines therewith to the seaboard and tide-water, to subscribe to or invest in the stock or loans of the said Nesquehoning Valley railroad company: *Provided,* That no company shall make such subscription or investment to an amount greater than ten per centum of its authorized capital.

**President and directors to issue, sell and transfer capital stock.** ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*  
**Proceeds, how applied.** JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*  
**May borrow money.**  
**Bonds and mortgage.**  
**Conversion of bonds into capital stock authorized.**  
**Votes.**  
**Companies connecting, &c., may subscribe to stock.**  
**Proviso.**

I do certify that the bill, entitled "An Act to incorporate the Nesquehoning Valley railroad company," passed on the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-one, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was agreed to by two-thirds of the House of Representatives on the fourteenth day of May, Anno Domini one thousand eight hundred and sixty-one, and that the foregoing is the act so agreed to by said House.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

Attest:—E. H. RAUCH,  
*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act to incorporate the Nesquehoning Valley railroad company," passed on the twelfth day of April, Anno Domini one thousand eight hundred and sixty-one, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was approved by two-thirds of the Senate on the eighth day of May, Anno Domini one thousand eight hundred and sixty-one, and that the foregoing is the act so agreed to by the Senate.

LOUIS W. HALL,  
*Speaker of the Senate.*

Attest:—RUSSELL ERRETT,  
*Clerk of the Senate.*

No. 664.

## AN ACT

To authorize the Erection of a Free Bridge over the river Schuylkill, at South street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the select and common council of the city of Philadelphia, and they are hereby required, as soon as practicable, to erect or cause to be erected a good and substantial bridge over the river Schuylkill, at or opposite to South street; which bridge shall be constructed upon such piers or abutments as to afford at all times a clear or uninterrupted passage for the water of the said river, equal at least, in area, to that now existing at the permanent bridge over the Schuylkill, at High or Market street; the cost of said bridge not to exceed

Erection of  
bridge over the  
Schuylkill au-  
thorized.

Where and how  
to be constructed

Cost of, how pro-  
vided for.



To be a free  
bridge.

To be superin-  
tended, kept in  
repair, &c., by  
city.

Loan, amount of  
and when paya-  
ble.

Certificates.

Public landings  
and roads, rela-  
tive to.

two hundred and fifty thousand dollars, which shall be provided for by a loan, to be raised as hereinafter directed ; and the said bridge, when erected, shall at all times hereafter be a free bridge, and no toll shall be charged for passing the same, and shall belong to, and be lighted, watched, superintended and kept in repair, and from time to time be altered, re-modelled or renewed, if necessary, at the proper cost and charges of the city of Philadelphia, who shall have power to make such rules and regulations as may be necessary for the preservation of said bridge.

SECTION 2. That the said select and common councils of the city of Philadelphia are hereby authorized to create a loan for the purpose aforesaid, not to exceed the sum of two hundred and fifty thousand dollars, negotiable at not less than its par value, and payable in forty years, at the rate of six per cent. per annum ; and the certificates thereof shall pass by delivery, as in case of negotiable paper : *Provided*, That no certificate shall be issued for a less sum than one hundred dollars.

SECTION 3. That it shall and may be lawful for the said select and common councils to occupy, build upon and alter so much of any public landing or road as may be requisite for the erection of said bridge.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

I do certify that the bill, entitled "An Act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia," passed on the twelfth day of April, Anno Domini one thousand eight hundred and sixty-one, which has been disapproved by the governor, and returned with his objections, to the Senate, in which it originated, was agreed to by two-thirds of the House of Representatives, on the sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one, and that the foregoing is the act so agreed to by the said House.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

Attest :—E. H. RAUCH,

*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia," passed on the first day of April, Anno Domini one thousand eight hundred and sixty-one, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was approved by two-thirds of the Senate, on the seventh day of May, Anno Domini one thousand eight hundred and sixty-one, and that the foregoing is the act so agreed to by the Senate.

LOUIS W. HALL,

*Speaker of the Senate.*

Attest :—RUSSELL ERRETT,

*Clerk of the Senate.*

No. 665.

## A N A C T

To grade, curb and pave Main or Market street, in the town of Annville,  
Lebanon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Daniel S. Earley, John Allwein, George Rigler, Rudolph Herr and Peter Forney be and they are hereby appointed commissioners, who, or a majority of them, are authorized and directed to grade, or cause to be graded, in a proper manner, the Main or Market street, in Annville, from Herr's alley, at the west end of said town, on the Berks and Dauphin turnpike, eastward to a point on the east side of John L. Saylor's lot, at the east end of said town, to curb, pave and regulate the same with gutters, sufficient to drain off the water from said street; the width of pavement to be twelve feet; the grade of the street and gutters, and all other matters connected therewith, to be regulated by a majority of said commissioners. Commissioners.  
Their duties.

SECTION 2. That the commissioners appointed by this act, before entering upon their duties hereby assigned them, shall be sworn or affirmed, before some judge or justice of the peace, to perform their duties, as aforesaid, with impartiality and fidelity, and according to the best of their skill and judgment, and shall perform the duties assigned them without compensation. To be sworn.  
No compensation

SECTION 3. That said commissioners shall keep an exact account of all their costs and expenditures in the making of said work on the property located on and adjoining said street, not to exceed two hundred feet in depth, according to the valuation of the property, as the same shall then be assessed for state and county purposes; which said amount, so assessed, shall be collected off the property holders in the same way as county rates and levies are now collected; and the said amount, so assessed, shall be a lien on the several properties until paid, upon having a transcript of the said assessment, certified by a majority of said commissioners, entered in the court of common pleas of Lebanon county, in the same manner as mechanics' liens are now entered, within six months after the whole of said work shall have been completed. Accounts of ex-  
penditures.  
Assessment to be  
made.  
How collected.  
To be a lien.  
Transcript of as-  
sessment certi-  
fied by commis-  
sioners to be en-  
tered in court.

SECTION 4. That after the work aforesaid shall have been finished, it shall be the duty of each property holder to keep the pavements and gutters, in front of their respective property, in good repair and free and unobstructed, except so far as may be necessary in the erection of buildings or otherwise: *Provided*, That in grading said street a passage shall be kept open for public use, and the said turnpike, when properly graded, shall be left in as good a condition as the same now is: *And provided further*, That when the proper grade is fixed by the commission, they shall give notice thereof to the property holders, whose Duty of property  
holders.  
Proviso.  
Proviso.

duty it shall then be to set their curb stone according to grade, to lay their pavements with brick or limestone, so far as their respective properties extend, under the direction of the said commissioners; but if they neglect or refuse to do so, for the term of six months, then the said commissioners shall have the same done, and charge the cost thereof to the parties delinquent, in the same way as above stated.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

I do certify that the bill, entitled "An Act to grade, curb and pave Main or Market street, in the town of Annville, Lebanon county," passed on the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was agreed to by two-thirds of the House of Representatives, on the fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one, and that the foregoing is the act so agreed to by the said House.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

Attest:—E. H. RAUCH,  
*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act to grade, curb and pave Main or Market street, in the town of Annville, Lebanon county," passed on the eleventh day of April, Anno Domini one thousand eight hundred and sixty-one, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was approved by two-thirds of the Senate, on the eighth day of May, Anno Domini one thousand eight hundred and sixty-one, and that the foregoing is the act so agreed to by the Senate.

LOUIS W. HALL,  
*Speaker of the Senate.*

Attest:—RUSSELL ERRETT,  
*Clerk of the Senate.*

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No. 666.

## AN ACT

Relating to a certain Alley or Street in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

certain twenty feet wide alley or street, running from Race street to northward Spring street, between Seventeenth street and Eighteenth street, in the city of Philadelphia, be and the same is hereby vacated; and that any outstanding title which he said city or this commonwealth hath or may have, in the ground over which the said twenty feet alley or street was formerly laid out, be and the same is hereby released and confirmed unto the owner or owners of the land bounding on said alley or street, his or their assigns forever: *Provided*, That the said owner or owners shall construct or cause to be constructed, under the supervision of the commissioner of highways of said city, an inlet or culvert, under said ground, for the purpose of drainage, within six months after the passage of this act, according to specifications prepared by the chief engineer and surveyor of the city of Philadelphia, and under the supervision of the department of surveys.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

I do certify that the bill, entitled "An Act relating to a certain alley or street in the city of Philadelphia," passed on the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was agreed to by two-thirds of the House of Representatives, on the fourteenth day of May, Anno Domini one thousand eight hundred and sixty-one, and that the foregoing is the act so agreed to by said House.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

Attest:—E. H. RAUCH,  
*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act relating to a certain alley or street in the city of Philadelphia," passed on the fourth day of April, Anno Domini one thousand eight hundred and sixty-one, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was approved by two-thirds of the Senate, on the tenth day of May, Anno Domini one thousand eight hundred and sixty-one, and that the foregoing is the act so agreed to by the Senate.

LOUIS W. HALL,  
*Speaker of the Senate.*

Attest:—RUSSELL ERRETT,  
*Clerk of the Senate.*

No. 667.

## A N A C T

To vacate a part of French street, in the Twenty-fourth ward, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That French (late Bidd) street, between Tilghman (late Venango) street and Clarion street, in the Twenty-fourth ward of the city of Philadelphia, be and the same is hereby declared vacated; and the present owners of the ground on either side of said French street, are hereby authorized and empowered to enter upon and possess the ground so vacated, to the middle thereof, the same as though included in their original purchase.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

I do certify that the bill, entitled "An Act to vacate a part of French street, in the Twenty-fourth ward, in the city of Philadelphia," passed on the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-one, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was agreed to by two-thirds of the House of Representatives, on the fourteenth day of May, Anno Domini one thousand eight hundred and sixty-one, and that the foregoing is the act so agreed to by said House.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

Attest:—E. H. RAUCH,

*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act to vacate a part of French street, in the Twenty-fourth ward, in the city of Philadelphia," passed on the eighth day of April, Anno Domini one thousand eight hundred and sixty-one, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was approved by two-thirds of the Senate on the thirteenth day of May, Anno Domini one thousand eight hundred and sixty-one, and that the foregoing is the act so agreed to by the Senate.

LOUIS W. HALL,

*Speaker of the Senate.*

Attest:—RUSSELL ERRETT,

*Clerk of the Senate.*

No. 668.

## A SUPPLEMENT

To an act to incorporate the Western Transportation Company, approved March fifteenth, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Western transportation company be and is hereby authorized to borrow money and issue its bonds therefor, bearing any rate of interest not exceeding seven per centum per annum, to make provision for the payment of the principal and interest of said bonds, by pledge or mortgage of its property, leases, franchises or other lawful manner; and the sale of said bonds for less than their par value, shall not be deemed a violation of the usury laws of this state.

Authorized to  
borrow money  
and issue bonds.

Bonds may be  
sold for less than  
par value.

SECTION 2. That the total amount of said bonds shall not exceed eighteen hundred thousand dollars, nor shall the amount of said bonds issued at any time, exceed the amount of the capital stock of said company paid in, unless for the payment of their principal and interest; said bonds or any excess thereof beyond the amount of the paid in capital stock, shall have pledged as security not less than an equal amount of the first mortgage bonds of one or more of the railroad companies whose property the said Western transportation company is by law empowered to lease.

Limitation of  
amount.

Exception.

SECTION 3. That no bond herein authorized to be issued, shall be for a less amount than one hundred dollars; and all former supplements to the charter of said company, giving it power to borrow money, are hereby repealed.

Repeal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 669.

## A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Bedford Railroad Company."

Empowered to include all their property, &c., in a certain mortgage.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Bedford railroad company shall have power to include all their property, real and personal, and their franchises acquired and to be acquired, in the mortgage which they are authorized to execute by the second section of the act, entitled "An Act to incorporate the Bedford railroad company," approved the nineteenth day of March, one thousand eight hundred and fifty-eight.

May issue preferred stock.

SECTION 2. That the Bedford railroad company be and they are hereby authorized to issue preferred stock, not exceeding fifty thousand dollars in amount, which stock shall be entitled to a dividend of six per centum out of the earnings of said road, before any dividend is paid on the other stock issued by said company.

Dividend.

Any railroad company authorized to purchase the bonds or subscribe for the stock issued.

SECTION 3. That any railroad company incorporated by any law of this commonwealth, is hereby authorized to purchase the whole, or any part of the bonds to be secured by the mortgage authorized to be executed as aforesaid, and also to subscribe for the whole, or any part of the stock hereby authorized to be issued, on such terms and conditions as may be agreed upon between said companies: *Provided*, That this act shall not go into effect, unless it shall be first approved of by a majority in number of the stockholders of said Bedford railroad company, at a meeting to be called for that purpose, by public advertisement, for at least two weeks, in two newspapers in Bedford county: *Provided*, That letters patent, granted to the Bedford railroad company, be and the same are hereby confirmed.

Proviso.

Proviso.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 670.

## AN ACT

To incorporate the Empire Hook and Ladder Company, number one, of Lancaster city, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all persons who are now members of the association called the **Incorporation.** Empire hook and ladder company, number one, of the city of Lancaster, county of Lancaster, or who shall hereafter be admitted members of the same, shall be and they are hereby erected and declared to be one body politic and corporate by the name, style and title of the Empire hook and ladder company, **Name.** number one, and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or otherwise; and to purchase, receive, have, hold and enjoy, to themselves and their successors, all and all manner of lands, tenements, rents, annuities, liberties, franchises and hereditaments, goods and chattels, of what nature, kind or quality soever, real, personal or mixed, or choses in action, and the same from time to time to sell, grant, devise, alien or dispose of: *Provided,* That the clear yearly income of **Proviso.** the said corporation shall not exceed the sum of three thousand dollars; and also to make and have a common seal, and the **Seal.** same to break, alter or renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and **By-laws.** regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter or the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of the said corporation and the due ordering and management of the affairs thereof.

SECTION 2. That nothing in this act contained shall be deemed **Prohibition.** to authorize the said company to engage, either directly or indirectly, in any banking, moneyed, commercial or manufacturing concern; but the object of the said corporation shall be the **Object.** promotion of the public good at fires.

SECTION 3. That all real and personal property, belonging to **Property belong-** the present voluntary association known by the name of the Empire hook and ladder company, number one, or which may **ing to present** hereafter accrue or belong to it, is hereby transferred to and **voluntary asso-** **ciation to be** **transferred.** vested in the corporation hereby created, its successors and assigns.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*



## LAWS OF PENNSYLVANIA,

We do hereby certify that the bill, entitled "An Act to incorporate the Empire hook and ladder company, number one, of Lancaster city, Lancaster county," was presented to the governor on the fifteenth day of April, A. D. one thousand eight hundred and sixty-one, and was not returned within three days after the meeting of the present legislature; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if it had been signed.

E. H. RAUCH,

*Clerk of the House of Representatives.*

RUSSELL ERRETT,

*Clerk of the Senate.*

HARRISBURG, May 16, 1861.

## RESOLUTIONS

PASSED SESSION OF EIGHTEEN HUNDRED AND SIXTY-ONE.

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No. 1.

## RESOLUTION

Relative to the Pay of the Retiring Officers of the General Assembly.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is hereby authorized and directed to pay, out of any moneys in the treasury not otherwise appropriated, the retiring officers of the last session of the general assembly, for ten days service at the opening of the present session, and the usual mileage, including such officers as were paid by resolution or otherwise.*

ELISHA W. DAVIS,  
*Speaker of House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighth day of January, Anno Domini one thousand eight hundred and sixty-one.

WM. F. PACKER.

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No. 2.

## RESOLUTION

Relative to the Legislative Manual and Purdon's Digest.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerks of the Senate and House of Representatives be authorized to procure a copy of Sutherland's and Ziegler's Manual, and one copy of Purdon's Digest, for each member and clerk and assistant clerk of the respective houses, and that the state treasurer be and he is hereby authorized to pay for the*

## LAWS OF PENNSYLVANIA,

same out of any moneys in the treasury not otherwise appropriated.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*  
 ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The eighth day of January, Anno Domini one thousand eight hundred and sixty one.

WM. F. PACKER.

## No. 3.

## JOINT RESOLUTION

Authorizing the State Treasurer to Pay the Expenses of the Electoral College of the fifth day of December last.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the state treasurer be authorized and directed to pay to the members and officers of the Electoral College, assembled at the capitol on the fifth day of December last, the sum of eight hundred and twenty-six dollars and twenty-five cents, in the proportions arranged and set forth by the committee of accounts of said college.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*  
 ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

WM. F. PACKER.

## No. 4.

## JOINT RESOLUTION

Relative to the Re-furnishing and Repair of the Executive Mansion.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the state treasurer is hereby authorized and directed to pay to

he order of such person as the governor shall appoint, the sum of three thousand dollars, to be expended in re-furnishing and repairing the executive mansion; the accounts for the same to be settled by the auditor general in the usual manner.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The fourteenth day of January, Anno Domini one thousand eight hundred and sixty-one.

WM. F. PACKER

No. 5.

# JOINT RESOLUTION

To pay D. F. Hemperly for Services.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the state treasurer be authorized and directed to pay Daniel F. Hemperly twenty dollars, for ten days service in attending the closets in the basement from the beginning of the present session, said Hemperly having been employed for that purpose during last session.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-first day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN

No. 6.

# JOINT RESOLUTIONS

Relative to the Maintenance of the Constitution and the Union.

WHEREAS, A convention of delegates, assembled in the city of Charleston, in the state of South Carolina, did on the twentieth

day of December, in the year of our Lord one thousand eight hundred and sixty, adopt an ordinance, entitled "An ordinance to dissolve the union between the state of South Carolina and other states united with her under the compact, entitled 'The Constitution of the United States of America,' " whereby it is declared that the said Union is dissolved :

*And whereas*, It becomes the duty of the people of Pennsylvania, through their representatives in this general assembly, to make known what they consider to be the object sought and the obligations and duties imposed by the constitution ; be it therefore,

1. *Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby resolved*, That the constitution of the United States of America was ordained and established as set forth in its preamble, by the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity. And if the people of any state in this Union are not in the full enjoyment of all the benefits intended to be secured to them by the said constitution ; if their rights under it are disregarded, their tranquillity disturbed, their prosperity retarded, or their liberties imperilled by the people of any other state, full and adequate redress can and ought to be provided for such grievances, through the action of Congress, and other proper departments of the national government.

2. *Resolved*, That the people of Pennsylvania entertain and desire to cherish the most fraternal sentiments for their brethren of other states, and are ready now, as they ever have been, to co-operate in all measures needful for their welfare, security and happiness, and the full enjoyment of all their rights under the constitution which makes us one people ; that while they cannot surrender their love of liberty, inherited from the founders of their state, sealed with the blood of the revolution, and witnessed in the history of their legislation, and while they claim the observance of all their rights under the constitution, they nevertheless maintain now, as they have ever done, the constitutional rights of the people of the slaveholding states, to the uninterrupted enjoyment of their own domestic institutions.

3. *Resolved*, That we adopt the sentiments and language of president Andrew Jackson, expressed in his message to Congress, on the sixteenth of January, one thousand eight hundred and thirty-three, "that the right of the people of a single state to absolve themselves at will and without the consent of the other states, from their most solemn obligations, and hazard the liberties and happiness of millions composing this Union, cannot be acknowledged, and that such authority is utterly repugnant both to the principles upon which the general government is constituted, and the objects which it was expressly formed to attain."

4. *Resolved*, That the constitution of the United States of America contains all the powers necessary to the maintenance of its authority, and it is the solemn and most imperative duty of the government to adopt and carry into effect whatever measures may be necessary to that end ; and the faith and the power

Pennsylvania are hereby pledged to the support of such measures, in any manner and to any extent that may be required of them by the constituted authorities of the United States.

5. *Resolved*, That all plots, conspiracies and warlike demonstrations against the United States, in any section of the country, are treasonable in their character, and whatever power of the government is necessary to their suppression, should be applied to that purpose without hesitation or delay.

6. *Resolved*, That the governor be and he is hereby requested to transmit a copy of these resolutions to the President of the United States, properly attested, under the great seal of the Commonwealth, and like attested copies to the governors of the several states of this Union, and also to our senators and representatives in Congress, who are hereby requested to present the same to the Senate and House of Representatives of the United States.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

### No. 7.

### JOINT RESOLUTION

To procure an American Flag for the Dome of the Capitol.

*Resolved by the Senate and House of Representatives*, That the clerks of the Senate and House of Representatives be directed to procure a flag of the United States, and have it displayed from the dome of the capitol whenever either house may be in session.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 8.

## RESOLUTION

Relative to a Tariff.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, That our senators and representatives in the Congress of the United States be requested to urge the immediate passage of the Morrill, or any other sound tariff bill, which will afford protection to the labor and industry of the country.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 9.

## RESOLUTIONS

To appoint Commissioners to a Convention of the States.

WHEREAS, The legislature of the state of Virginia has invited a meeting of commissioners from the several states of this Union, to be held in the city of Washington, on the 4th day of February next, to consider, and, if practicable, agree upon some suitable adjustment of the unhappy differences which now disturb the business of the country and threaten the dissolution of this Union:

*And whereas,* In the opinion of this legislature no reasonable cause exists for this extraordinary excitement which now pervades some of the states, in relation to their domestic institutions, and while Pennsylvania still adheres to and cannot surrender the principles which she has always entertained on the subject of slavery, this legislature is willing to accept the invitation of Virginia, and to unite with her in an earnest effort to restore the peace of the country, by such means as may be consistent with the principles upon which the constitution is founded; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That*

he invitation of the legislature of Virginia to her sister states, or the appointment of commissioners, to meet in the city of Washington, on the 4th day of February next, be and the same s hereby accepted, and that the governor be and he is hereby authorized to appoint seven commissioners for the state of Pennsylvania, whose duty it shall be to repair to the city of Washington, on the day designated, to meet such commissioners as may be appointed by any other states which have not authorized or sanctioned the seizure of the forts, arsenals or other property of the United States, to consider, and, if possible, to agree upon suitable measures for the prompt and final settlement of the difficulties which now exist: *Provided*, That the said commissioners shall be subject, in all their proceedings, to the instructions of this legislature.

*Resolved*, That in the opinion of this legislature, the people of Pennsylvania do not desire any alteration or amendment of the constitution of the United States, and any recommendation from this body to that effect, while it does not come within its appropriate and legitimate duties, would not meet with their approval; that Pennsylvania will cordially unite with the other states of the Union in the adoption of any proper constitutional measures, adequate to guarantee and secure a more strict and faithful observance of the second section of the fourth article of the constitution of the United States, which provides, among other things, that "the citizens of each state shall be entitled to all privileges and immunities of citizens of the several states," and that no person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on the claim of the party to whom such service or labor may be due.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 10.

## JOINT RESOLUTION

To pay Expenses of Inauguration.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met*, That the chairman of the joint committee to make arrangements for



## LAWS OF PENNSYLVANIA,

the inauguration on the fifteenth of January, be authorized to draw his warrant on the state treasurer for the sum of three hundred and seventy-one dollars and fifty cents, to pay expenses of said occasion, to be paid out of any moneys in the treasury at otherwise appropriated.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The fifth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 11.

## JOINT RESOLUTION

To pay John Hall, as Clerk to the Committee in the Contested Election of Lewis Pughe.

*Resolved*, That the state treasurer is hereby authorized and required to pay John Hall, clerk to the committee in the contested election of Lewis Pughe, three dollars per day for the time employed, and the usual mileage, to be certified to by the chairman of the committee.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 12.

## JOINT RESOLUTIONS

Relative to guaranteeing the payment of certain Bonds of the Federal Government.

WHEREAS, By the thirteenth section of an act of the Congress of the United States, entitled "An Act to regulate the deposits of the public money," approved the twenty-third of June, one

housand eight hundred and thirty-six, the sum of two millions eight hundred and sixty-seven thousand five hundred and fourteen dollars and seventy-eight cents, belonging to the United States, was deposited with this state for safe keeping:

*And whereas*, This state, by an act of the legislature, approved on the twenty-second day of December, one thousand eight hundred and thirty-six, entitled "An Act concerning the proportion of the public money of the United States, which Pennsylvania is entitled to receive under the act of Congress, passed the twenty-third day of June, one thousand eight hundred and thirty-six," agreed to receive the said money on deposit, and pledged the faith of the state for its safe keeping and re-payment, whenever the same should be required by the secretary of the treasury of the United States:

*And whereas*, In the present disturbed condition of the country, it is the duty of this state, by all possible efforts to support the authority of the federal government and sustain its credit:

*And whereas*, It is believed that the aforesaid deposit of money with this state may be made instrumental in sustaining the public credit, by pledging it as security for the re-payment of a loan by the United States, to the amount of such deposit; therefore,

*Be it resolved*, (If the House of Representatives concur,) That upon the request of the secretary of the treasury of the United States, the treasurer of this state be authorized and required, under his hand and the seal of the state, to guarantee the payment of the principal and interest of any bonds of the United States, to the amount of the moneys belonging to the United States, which were received by this state, under the before mentioned act of June twenty-third, one thousand eight hundred and thirty-six, and are now in its custody for safe keeping.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 13.

## JOINT RESOLUTION

Relative to Lightning Conductors on the Dome of the Capitol.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met*, That the clerks of the Senate and House of Representatives are hereby authorized and directed to put up a lightning conductor

## LAWS OF PENNSYLVANIA,

from the top of the flag staff, on the dome of the capitol, to the ground, and to repair or replace the lightning conductors on the building.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The thirteenth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 14.

## RESOLUTION

Relative to the pay of William B. Turner, as Clerk to the Committee trying the Contested Election Case in the First Legislative District of Philadelphia.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be directed to pay to William B. Turner, clerk to the committee to try the contested election case of the First legislative district of Philadelphia, the sum of three dollars per day and the usual mileage; the number of days to be certified by the chairman of said committee.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 15.

## RESOLUTION

To pay Expenses in procuring Flag-staff and Flags on the Dome of the Capitol, under resolution directing the same, approved January twenty-ninth, eighteen hundred and sixty-one.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That*

the state treasurer is hereby authorized and directed to pay to the clerks of the Senate and House of Representatives, the sum seven hundred and eight dollars and seventy-five cents, to pay for procuring and putting up flag-staff and flags on the dome of the capitol, in obedience to joint resolution directing the same to be done.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 16.

## JOINT RESOLUTIONS

For the payment of the recently appointed Commissioners to Washington.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That four thousand dollars, or so much thereof as shall be necessary, of any money in the treasury not otherwise appropriated, be appropriated to pay the expenses of the commissioners, to the convention of states, appointed by the governor. That the state treasurer shall pay each commissioner, out of the money so appropriated, ten dollars per diem from the fourth day of February, during the time of their session, and mileage at the rate established by law for the members of the legislature; and shall also pay such portion of other expenses of said convention as shall be just and equal among the states represented; the amount whereof shall be certified to by said commissioners.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The second day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 17.

## JOINT RESOLUTION

To pay S. T. Jones certain moneys.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is authorized and directed to pay to S. T. Jones, one hundred and eight dollars and thirty-seven cents, for articles furnished to put the hall of the House in mourning on the death of the late speaker, W. C. A. Lawrence, and for crape and other articles furnished members of the two houses who attended the funeral.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

G. RUSH SMITH,  
*Speaker of the Senate pro tem.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 18.

## RESOLUTION

Relative to the pay of James P. Williams.

WHEREAS, James P. Williams, late assistant messenger of the House of Representatives, was actually employed by the clerk, in attending to the mails, for five days preceding the commencement of the present session; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and directed to pay James P. Williams the regular per diem as assistant messenger, for five days.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 19.

## JOINT RESOLUTION

Providing for the pay of Samuel M. Fox, Clerk to the Committee on Banks of the Senate.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be authorized and directed to pay Samuel M. Fox, clerk to the committee on banks of Senate, three dollars per day while employed, and legal mileage to and from the city of Philadelphia; the number of days to be certified by the chairman of the committee on banks.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 20.

## RESOLUTION

To maintain inviolate the Constitution and Sovereignty of the United States.

WHEREAS, The states of South Carolina, Georgia, Alabama, Mississippi, Louisiana, Florida and Texas are in armed and treasonable rebellion against the sovereign authority and government of the United States, and have constituted and are endeavoring to maintain a treasonable and rebellious government, intended to subvert the constitution and laws of the United States, and to dissolve their allegiance to its authority; and have, with force of arms, seized upon such unprotected revenues, forts, arsenals, navy yards, and other exclusive property of the national government as were within their power of seizure; and have coerced loyal citizens, within their borders, to unwilling submission to their usurped authority; and have raised, officered, equipped and assembled large armies, and ships and munitions of war, with the avowed purpose to wage aggressive warfare against the constitution and lawful author-

ities of the Union, and against the liberties of the people; and have besieged, attacked and captured a fort, in the actual and peaceable possession of United States troops, and have made the garrison prisoners of war, whilst under the protection of the national flag and the federal laws:

*And whereas*, The President of the United States, by his proclamation, dated the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-one, has appealed to all loyal citizens to favor, facilitate and aid the effort to maintain the honor, the integrity and the existence of our national Union, and the perpetuity of popular government, and to redress the wrongs already long enough endured; therefore,

*Be it unanimously resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby resolved*, That the faith, credit and resources of the state, in both men and money, are hereby pledged to any amount and to every extent which the federal government may demand, to subdue the rebellion, to punish the treason, to enforce the laws, to protect the lives, the liberties and the property of the people, and to maintain inviolate the constitution and the sovereignty of the nation.

*Resolved*, That the governor be and is hereby directed to forward a certified copy of this preamble and resolution to the President of the United States.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 21.

## JOINT RESOLUTION

To pay Incidental Expenses incurred in making arrangements for the Celebration on the twenty-second February.

*Resolved by the Senate and House of Representatives in General Assembly met*, That the state treasurer is hereby authorized and empowered to pay the following named persons the following sums of money, in full of their claims for services, carriage and horse hire, and materials furnished on the occasion of the celebration: To George Bergner and Company, one hundred and twenty-three dollars for advertising, &c.; to J. F. Knipe, for firing salutes, &c., one hundred and nine dollars; Atlantic and

to telegraph company, one dollar and ninety-eight cents; to H. Morgan, for distributing invitations, and other services, n dollars; to State Capital band, fifty dollars; to F. K. Swartz, r horse and carriage hire, thirty-five dollars; to William G. entzer, for one United States ensign furnished for the governor's mansion, five dollars and fifty cents; to William B. Sipes, r printing orations, two hundred and fifty dollars.

J. H. SELTZER,

*Speaker of the House of Representatives pro tem.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The twenty-fourth day of April, Anno Domini ie thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 22.

JOINT RESOLUTION

Relative to the pay of the Peace Commissioners.

WHEREAS, Difficulty has arisen in adjusting the claims of the peace commissioners from this state; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania,* That the governor be authorized to draw his warrant on the state treasurer, in favor of each of aid commissioners and the secretary of the same, for the amount that each is entitled to receive under the joint resolution providing for the payment of said commissioners.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

ROBT. M. PALMER,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of April, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 23.

JOINT RESOLUTION

To purchase the Manuscripts of the State Book of Pennsylvania.

WHEREAS, George H. Morgan has with much labor compiled from the archives of the state, and other sources, the manu-



scripts of a proposed book to be denominated the *State Book of Pennsylvania*, containing accurate lists of the state officers; annual receipts and expenditures of the state, since one thousand seven hundred and ninety-one, the length of legislative sessions, and the number of laws passed by each, since one thousand seven hundred and ninety, dates of organization of the several counties of the state, with the census tables and electoral votes cast by each since their organization; list of charters granted by the legislature to banks, turnpike, plank and railroads, and canal, navigation and manufacturing companies, since one thousand seven hundred and ninety, with dates and amount of capital stock of each; annual amount of tonnage exports and imports of the state, since one thousand seven hundred and eighty-nine; an authentic copy of the constitution of one thousand eight hundred and thirty-eight, with an alphabetical analysis of the same, together with a large mass of other statistical and historical information, the publication of which is highly desirable as illustrative of the rise, progress and present condition of the state; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor of this commonwealth be and he is hereby authorized to purchase from George H. Morgan, the manuscripts of the *State Book of Pennsylvania*, as compiled by him from the archives of the state, and other sources, at a cost not exceeding the sum of six hundred dollars, the same to be paid on the warrant of the governor, out of any moneys in the state treasury not otherwise appropriated; and the governor is hereby further authorized to permit the aforesaid manuscripts, after their purchase, to be printed in book form and substantially bound by any printer whom he may select, willing to undertake that task at his own expense; and when the same shall be printed in book form, it shall be the duty of the secretary of the commonwealth to purchase of the publisher a sufficient number of copies thereof to supply, with one copy, each of the heads of departments, each of the members of the present legislature and each of the chief officers thereof: *Provided,* That the same shall be furnished at a cost not exceeding one dollar and fifty cents per copy, the same to be paid for out of any moneys in the state treasury not otherwise appropriated, upon the order of the secretary of the commonwealth, who shall also superintend the distribution of the same.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 24.

## RESOLUTION

For the payment of the Expenses of the Committee in the Contested Election Case of Joseph Caldwell.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized and required to pay to each member of the committee in the contested election case of Joseph Caldwell, the sum of fifty dollars, for their expenses incurred in visiting Philadelphia county in relation to said case.*

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 25.

## RESOLUTION

Authorizing the Second English Lutheran Congregation of the city of Harrisburg, to connect Gas Pipe within the enclosure of the Public Grounds, et cetera.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby resolved by the authority of the same, That the Second English Lutheran congregation of the city of Harrisburg, shall have permission to attach a gas pipe or pipes to the main pipe, at the north-west lamp-post erected within the enclosure of the state capitol grounds, and make such connection and lay such pipe or pipes as may be necessary to conduct gas from said lamp-post to their church, at the corner of State and High streets, in the city aforesaid: Provided, That such connection and attachment shall in nowise interfere with, or injure the flow of gas from said lamp-post, and that said congregation shall*

## LAWS OF PENNSYLVANIA,

obtain the consent of the Harrisburg gas company for said purpose.

JOHN J. PATTERSON,  
*Speaker of the House of Representatives pro tem.*

ROBT. M. PALMER,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## EXTRA SESSION—1861.

No. 671.

## A N A C T

To authorize the Commissioners of Schuylkill county to appropriate thirty thousand dollars for the support of the Families of Volunteers, mustered out of the said county into the service of the United States, and providing for the distribution of said fund.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Schuylkill county are hereby authorized and required to make an appropriation of thirty thousand dollars, to be paid out of any county funds in the hands of their county treasurer, by orders drawn by them upon the said treasurer, in such amounts as may be required to carry out the object and intention of this act; and that said commissioners are further authorized to add to the county rates already levied, two and a half mills on every dollar of valuation subject to county rates and levies, to raise said appropriation for the benefit of all heads of families, women and children, who were dependent, or mainly so, upon the support of those who have been or may be mustered out of the county of Schuylkill into the service of the United States, under the call of the President thereof; and should any portion of said appropriation remain unexpended under the provisions of this act, then such portion shall go into the general funds of the county for county purposes.

Appropriation authorized.

How paid.

Addition to county rates.

Unexpended portion, how disposed of.

SECTION 2. That the said fund shall be distributed amongst the persons for whose relief said fund is appropriated, under the provisions of the first section of this act, agreeably to the ratio and regulations to be established by the judges of the court of common pleas and the county commissioners of said county, to be convened in the commissioners' office for that purpose.

Mode of distribution.

SECTION 3. That the better to enable the said judges and county commissioners to establish equal rules and regulations, and to carry into effect the provisions of this act, the said judges and county commissioners shall appoint three judicious and proper persons in each of the boroughs and townships within said county, whose duty it shall be forthwith, and without compensation, to report to them under oath or affirmation, the names of all those persons in their respective boroughs and townships entitled to the benefit of this act, designating the persons so mustered into the service of the United States, and the company to which they were attached, together with the names of their

Three persons to be appointed in each borough and township to report names, &amp;c., of persons entitled to benefit of this act.

wives and children, if any, and the ages of said children; and if any person so mustered into the service as aforesaid left mother or younger brothers or sisters who were dependent on him for their support, their respective names and ages, as near as the same can be ascertained, shall be reported as aforesaid, and also how they were supported by the persons so mustered into the service as aforesaid, and the means they now have of supporting themselves, and what provision, if any, was made for their support in the absence of the person so mustered into service.

Treasurer in each borough and township, duties of.

SECTION 4. That the said judges and the county commissioners shall appoint one person in each borough and township, who may be one of the said three persons, as treasurer to receive the fund appropriated to each respective borough or township, and to pay over the same agreeably to the regulations and direction of the said judges and county commissioners; said treasurer to be personally responsible to the county of Schuylkill for the faithful execution of his trust, and at all times, when required by the said judges and county commissioners, to settle an account thereof.

All acts previously done confirmed.

SECTION 5. All acts done by the said judges and county commissioners, consistent with the provisions and in accordance with the spirit and meaning of this act, previous to the passage of the same, are hereby confirmed and considered as of the same effect as if done by them after its passage.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 672.

## AN ACT

Authorizing the Brigade Inspector of the First Brigade, Fifth Division, Pennsylvania Militia, to appoint a Deputy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the brigade inspector of the first brigade, fifth division, Pennsylvania militia, composed of the county of Berks, be and he is hereby authorized to appoint a deputy, to serve and perform*

all the duties of the brigade inspector during his absence in the service of the United States army.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 673.

# AN ACT

Authorizing the Deputy of the Sheriff of Washington county to perform the duties of Sheriff.

WHEREAS, Norton M'Giffin, high sheriff of Washington county, has responded to the call of patriotism, and is engaged in the military service of the country, and is, therefore, meritoriously unable to execute, in person, the duties of the sheriffalty aforesaid:

*And whereas*, The said Norton M'Giffin, Esqr., has appointed a principal deputy during his absence; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the principal deputy of the sheriff of Washington county shall have, possess and exercise all the authority and powers pertaining to the office of sheriff of the said county, as fully and effectually as the sheriff of the said county himself might or could have, possess and exercise the same.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 674.

## AN ACT

Providing for the immediate Expenses of the Volunteer Militia of this State, now in actual service.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That for the purpose of supplying the necessary contingent expenses of the volunteer militia now in the actual service of the United States, until provision can be fully made therefor, by the general government, the state treasurer is hereby authorized and required to pay out of any money in the treasury not otherwise appropriated, such bills as have been, or may be contracted by the regimental quartermasters, and shall appear by the certificate of the quartermaster general to have been necessary to supply the immediate wants of the troops in their respective regiments. The bills to be first submitted to the quartermaster general, together with the vouchers, and if approved by him, presented to the auditor general, who shall file the same in his office, and draw his warrant upon the treasurer for the amount thereof: Provided, That no more than five hundred dollars shall be so paid to any one regiment.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 675.

## AN ACT

To provide Stationery and Postage for the Soldiers of this State Drafted into the Service of the United States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That one thousand dollars, or so much thereof as may be necessary, be set apart, out of moneys not otherwise appropriated in the*

treasury, for the purchase of stationery and postage stamps, Appropriation for the use of the soldiers of this state now mustered into the service of the United States, who are still within the state and have received no pay from the general government.

SECTION 2. That the colonels of regiments, and in case any of said soldiers shall not have been formed into regiments, the captains of companies may be furnished, in reasonable and proportionate amounts, with such stationery and stamps, for the use of the soldiers under their several commands, by the secretary of state, who is hereby authorized to furnish the same; the expense thereof, after first being audited and approved by the auditor general, to be paid by the state treasurer out of the money above provided.

Secretary of state authorized to furnish the same to colonels and captains.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 676.

## A FURTHER SUPPLEMENT

To an act to establish a Board of Wardens for the Port of Philadelphia, and for the Regulation of Pilots and Pilotages, and for other purposes therein mentioned, passed twenty-ninth of March, Anno Domini one thousand eight hundred and three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That every person exercising the profession of a pilot in the bay or river Delaware, under a license duly granted, or may be hereafter granted by said board of wardens of the port of Philadelphia, shall, immediately after the passage of this act, take and subscribe an oath or affirmation, before the master warden of said port, who is hereby authorized and empowered to administer the same, that he will support the constitution of the United States, and the constitution and laws of Pennsylvania, and well and faithfully perform his duty as a pilot.

Pilots to take oath before master warden.

SECTION 2. In case any pilot licensed under the provisions of the act to which this is a supplement, and the supplements thereto, shall neglect or refuse to take and subscribe the oath or affirmation herein provided, after notice having been given by the master warden, it shall be the duty of the master warden to withdraw and cancel the license of such pilot; and it

Pilots refusing to take oath forfeit licenses.



shall not be lawful for any pilot so refusing or neglecting to take and subscribe the oath or affirmation aforesaid, to perform the duties of a pilot in the bay or river Delaware.

Certificate of oath taken to be attached to license.

SECTION 3. It shall be the duty of the master warden to give each pilot who has taken and subscribed the oath as aforesaid, a certificate of the same; which certificate shall be attached to the license and a record of the same kept in the warden's office.

Serving on vessels conveying goods, &c., contraband of war, to be deemed high misdemeanor.

SECTION 4. That any pilot, captain, or other officer or person who shall knowingly serve in any capacity on board of any steamship, steamboat, sailing vessel, canal boat or other conveyance by water, having on board any goods, provisions or merchandise whatever, contraband of war, designed for conveyance to, or delivery at any port or place within any seceded state, or with which the United States is at war, with knowledge of such unlawful traffic, and with intent to give aid or comfort to the enemy, shall be deemed and held to be guilty of a high misdemeanor, and on conviction thereof, in any competent court of criminal jurisdiction of this commonwealth, shall be punished by fine not exceeding five thousand dollars, and imprisonment at labor not exceeding ten years, or either.

Penalty.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 677.

## AN ACT

To establish a Volunteer Nurse Corps.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be established and commissioned by the governor or commander-in-chief of the military forces of this commonwealth, a nurse corps, named and entitled the Pennsylvania Volunteer Nurse Corps, of twelve divisions; each division to consist of one principal, one first assistant, one second assistant, and twenty-two nurses, who shall attend to the wants of wounded and sick soldiers in the service of the commonwealth, and shall be subject to such regulations and orders, and receive such compensation as the military authority shall establish.

Nurse corps to be commissioned.

Divisions.

Duties.

Subject to.

SECTION 2. That for the orderly and efficient performance of Uniform and  
 their duties, said nurse corps shall be furnished by the commis- equipments.  
 sary department of the state with suitable uniforms and equip-  
 ments, to be determined upon by the principals of said corps, To remain in ser-  
 vices until close  
 subject to the order and approval of the governor, and they of war.  
 shall remain in service until the close of the war, or until their  
 discharge by the governor.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of May, Anno Domini one  
 thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 678.

## A N A C T

Supplementary to the act incorporating the borough of Easton.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
 tatives of the Commonwealth of Pennsylvania in General Assembly  
 met, and it is hereby enacted by the authority of the same,* That  
 the town council and school directors, in joint session, by a Appointment of  
 vote of not less than a majority of the whole number of mem- borough treasur-  
 bers, shall have power to appoint a borough treasurer and col- er and collector.  
 lector, or either, whenever a vacancy may occur, by death,  
 resignation, declination or failure to give the security required  
 by law, within twenty days after an election, or otherwise, to  
 serve for the remainder of the year, who shall give bond as  
 provided for in the first section of the act, entitled "An Act  
 supplementary to the act incorporating the borough of Easton,"  
 approved the eighth day of April, Anno Domini one thousand  
 eight hundred and sixty-one.

SECTION 2. That the town council is hereby authorized to ap- Appropriation  
 propriate, out of the funds of said borough, such sum as they for support of the  
 may deem right and proper, not exceeding the sum of five thou- families of volun-  
 sand dollars, for the support, comfort and maintenance of the teers authorised.  
 families of such citizens of said borough who are now in the  
 service of the United States or this state, as volunteers, or may  
 hereafter enter such service, to be paid out and expended under  
 such regulations as the said council may prescribe; and if there  
 be not sufficient money in the treasury, the said council is here-  
 by authorized to raise the same by taxation, under the rules now Increase of taxa-  
 regulating the raising of money for the use of said borough, and tion.  
 notwithstanding that the rate of taxation may be thereby in-  
 creased beyond what is now allowed.

**Repeal.**

**SECTION 3.** That so much of the act incorporating the borough of Easton, and any supplement thereto, or any ordinance of said borough, passed in pursuance thereof, or so much of the school law relating to said borough, as is hereby altered or supplied, be and the same is hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

**APPROVED**—The fourteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 679.

## A FURTHER SUPPLEMENT

To an act for the Regulation of the Militia of this Commonwealth, approved April twenty-first, one thousand eight hundred and fifty-eight.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the three brigades of the first division, the city of Philadelphia, authorized by the act to which this is a supplement, there shall be organized within the city of Philadelphia, another brigade, to be called the Reserve Brigade, which shall consist of four regiments of infantry and one squadron of cavalry for the special defence of said city.

Reserve brigade  
to be organized  
in Philadelphia.

When the brigade  
inspector  
may organize a  
regiment.

Election of officers.

Officers of companies  
already  
organized, relative to.

Cavalry to have  
a major commandant.

Governor to appoint  
brigade  
inspector.

**SECTION 2.** Whenever five uniformed companies of seventy-seven men each, shall be organized, the brigade inspector, hereinafter provided for, shall form the same into a regiment, and shall give notice for an election to be held for the choice of suitable persons to fill the offices of colonel, lieutenant colonel and major in such regiment, giving at least two days notice of the time and place of all such elections, and he shall preside thereat; but where companies have already been organized into a regiment and elected their officers, they shall continue in office until the expiration of the time for which they may have been elected; and the squadron of cavalry shall have a major commandant, who shall be elected as above directed; companies, battalions or regiments serving together shall have precedence, according to arms and priority of organization.

**SECTION 3.** A brigade inspector shall be appointed by the governor, who shall have all the powers, and be subject to all the liabilities, and entitled to all the privileges, imposed on brigade inspectors by the law to which this is a supplement.

SECTION 4. The third regiment of Infantry Gray Reserves, as present organized and inspected, shall form the first regiment of the brigade authorized by this act. Third regiment of Gray Reserves to form first regiment.

SECTION 5. Nothing in this act shall be construed as exempting the members of the Reserve Brigade, between the ages of sixteen and forty-five, from being drafted into the service of the state. Members may be drafted.

SECTION 6. No member of any company of any regiment forming the Reserve Brigade shall be supplied with arms until he shall have first taken and subscribed an oath or affirmation to support the constitution of the United States and of the commonwealth of Pennsylvania, which oath or affirmation shall have been duly administered and certified by some one duly authorized by law to administer oaths and affirmations. Oath to be taken before receiving arms.

SECTION 7. No officer or member of the Reserve Brigade, as such, shall receive any pay from the state. Not to receive pay from state.

SECTION 8. That as soon as the two regiments are regularly organized, an election shall be held for brigadier general, who shall hold his office until the first Monday of July, one thousand eight hundred and sixty-four, unless the brigade is sooner dissolved by the major general of the first division. Election of brigadier general.

SECTION 9. That the Reserve Brigade shall in all respects, other than those herein specifically provided for, conform to the rules and regulations, and be entitled to all rights and privileges provided for in the act to which this is a supplement, and all supplements thereto. Rights, privileges, rules, &c.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 680.

## AN ACT

To Create a Loan and to Provide for Arming the State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor and state treasurer be and they are hereby authorized and empowered to borrow, on the faith of the commonwealth, at such time, in such amounts, and with such notice as they may deem most expedient for the interest of the state, any sum not exceeding three millions of dollars, and issue certificates of loan, or bonds of the commonwealth, for the same, be issued.* Governor and state treasurer authorized to borrow three millions of dollars. Certificates of loan or bonds to be issued.

bearing six per centum interest per annum, payable semi-annually, in the city of Philadelphia, which certificates of loan, or bonds, shall not be subject to taxation for any purpose whatever; and shall be re-imbursable at any time after the expiration of ten years from their date; and the sum so borrowed, or so much thereof as may be necessary, shall be and the same is

**Appropriation of money.**

hereby appropriated to defray the expense of organizing, arming, equipping, transporting and supporting the military forces of this state, now or hereafter to be called into service in aid of the government of this state or of the United States, and to enforce the laws thereof, and all incidental expenses connected therewith: *Provided*, That no certificate of loan, or bond, shall be issued for a less sum than twenty-five dollars: *Provided further*, That all certificates issued of the denomination of one hundred dollars, or less, shall be coupon bonds: *Provided further*, That no certificate shall be negotiated for less than its par value; the said certificates of loan to import on the face thereof the purposes for which the same were issued, and to be transferable, on the books of the commonwealth, at the Farmers' and Mechanics' Bank, in the city of Philadelphia.

**Limitation.**

Certificates of certain denomination to be coupon bonds.

None to be negotiated for less than par value.

**Transferable.**

To be signed by governor and countersigned by state treasurer and auditor general.

Registry to be kept and report made by auditor general.

Expenses of negotiating loan, &c., how paid.

**Governor to appoint major general.**

**Pay.**

**Brigadier generals.**

**Adjutant general to notify quartermaster and commissary generals of the points of rendezvous, &c.**

**Proposals for supplies.**

SECTION 2. That the bonds, or certificates of loan, issued under the provisions of this act, shall be signed by the governor, and countersigned by the state treasurer and auditor general, and a correct and accurate registry of the same shall be kept in a book to be provided for that purpose in the office of the auditor general, who shall make annual report thereof to the legislature; and the governor is hereby authorized to draw warrants on the state treasurer for such sums as may be necessary to pay the proper expenses incident to the negotiation of such loan, the preparation of the bonds, or certificates of loan, authorized to be issued by this act; and said warrants shall be paid out of any moneys in the treasury.

SECTION 3. That the governor be and he is hereby authorized, by and with the advice and consent of the senate, to appoint a competent person, of military education, experience and skill, to have command of all the military forces of Pennsylvania, to be raised under the provisions of this bill, with the rank of major general, who, while in actual service, shall be entitled to the pay and emoluments of a major general in the army of the United States; and he shall also have authority, in manner as aforesaid, to appoint two persons, of like military education, experience and skill, to be brigadier generals, who, while in actual service, shall be entitled to the pay and emoluments of officers of same rank in the army of the United States.

SECTION 4. Whenever the militia of this commonwealth shall be called into service, by the requisition of the President of the United States, or the proclamation of the governor, it shall be the duty of the adjutant general to notify, in writing, the quartermaster general and commissary general of the point or points where the men are to rendezvous, with the number, as near as may be; and said officers shall forthwith advertise for proposals for supplying to the commonwealth such supplies as may be necessary for furnishing the troops with rations and all other stores named in and provided by the laws or regulations of the United States; said proposals to be directed to the said com-

missary general and quartermaster general respectively, and to be opened after five days notice, and the contracts to be awarded to the lowest bidder by the proper officer inviting said proposals, and adequate security to be taken for the faithful performance of the contract, before the same is awarded; and said officers shall publish and keep on file, in their several departments, for public inspection, a list of all the proposals offered, including those rejected as well as those awarded; and before the acceptance of any provisions or other military stores of any kind whatsoever, purchased upon contract, as hereinbefore provided, it shall be the duty of the quartermaster general or commissary general, as the case may be, in connection with the auditor general and state treasurer, to appoint, from time to time, as required, one or more disinterested and competent inspector, familiar with the value and quality of the provisions or military stores so contracted for, whose duty it shall be to examine and accept or reject the same, and, if accepted, to give a certificate thereof to the contractor or vendor; and no bill rendered for any such provisions or stores shall be paid, until so certified and approved. The inspectors so appointed shall each receive five dollars per day for every day necessarily employed in discharge of their duties and shall severally be sworn or affirmed to discharge their duties with fidelity.

Opening of proposals and award of contracts.

List of proposals to be filed.

Inspectors to be appointed.

Duties of.

Compensation.

SECTION 5. The chief of each staff department shall, under the direction of the governor, have command over all subordinate officers in his department, and shall from time to time issue orders and instructions for their government and practice.

Chiefs of staff departments.

SECTION 6. The governor is hereby authorized and empowered to organize in his discretion the various staff departments, and to prescribe, by rules and regulations, the duties to be performed by the officers connected therewith, which shall, as far as may be, conform to those which are prescribed for the government of the staff department in the army of the United States: *Provided*, That each chief of such department shall prepare and transmit, at the expense of this state, all blank forms of returns, precepts, warrants and proceedings necessary in his department.

Governor to organize staff departments.

Proviso.

SECTION 7. The governor is hereby authorized to appoint such staff officers as he may deem necessary for the proper efficiency of the service, who shall receive, when on active duty, the same pay and allowance as officers of the like grade in the employment of the United States; and he is also authorized and empowered to confer brevet rank on such officers of the Pennsylvania troops as shall distinguish themselves by gallant actions and meritorious conduct; and he shall have authority to promote and appoint such non-commissioned officers and privates to the rank of second lieutenant as shall be reported to the governor, by a board composed of the three officers highest in rank of the command to which they may be attached at the time, as having distinguished themselves, said officers then to be attached to the several regiments, to supply such vacancies as may occur by casualties or otherwise.

Governor to appoint staff officers and confer brevet rank.

May promote non-commissioned officers and privates to rank of second lieutenant.

SECTION 8. That there shall be a hospital department which shall be supervised by the surgeon general, who shall be a member of the grand staff, with the rank of colonel; and to each division, when in actual service, there shall be a hospital surgeon

Hospital department.

with the rank of major; and to each brigade, when in actual service, a hospital surgeon with the rank of captain; said officers to be appointed and commissioned by the governor, and (except the surgeon general) to be first examined and recommended for appointment by the surgeon general and a board of such other surgeons, not exceeding three, as he may direct; the rank of all said officers shall not entitle them to promotion in the line, nor shall it regulate their pay and rations, except when in actual service, under a requisition from the President of the United States, or the proclamation of the governor; and all surgeons and surgeons' mates now or hereafter to be appointed, shall be examined by the surgeon general and a board of surgeons, not exceeding three, as he may direct, and the qualifications and fitness of all surgeons and applicants for appointments as such, shall be reported in writing to the governor.

Form of affidavit  
to be taken be-  
fore settlement of  
bills.

SECTION 9. That before the settlement and payment of any bill by the state treasurer, the auditor general shall require, except for incidental expenses, or when it may be impracticable, an affidavit taken before a proper officer of this commonwealth to the following effect, viz: City or county of ss:

Personally appeared before me, an alderman or justice of the peace in and for said city or county, of the firm of who, having been

according to law, saith that the above account is correct; that the articles therein charged were furnished to the commonwealth of Pennsylvania on the order of the head of the proper bureau, and that the prices charged for the same are the actual wholesale cash prices charged for goods of like quality to other customers, and no more; that no commission, abatement or allowance whatever has been or is to be given to any person concerned in the ordering or purchasing of said articles, or any other person whomsoever, and that the said articles are of the quality, size and quantity mentioned in the said account.

and subscribed before me, this

day of 186

Certificates from  
heads of each bu-  
reau.

Every account shall be accompanied by a certificate from the head of the proper bureau that the account is correct, that the articles were furnished on his order and supplied as charged: *Provided*, That any person who shall be convicted before any court of record in this commonwealth of wilful perjury under the provisions of this section, shall suffer, in addition to the penalties now provided by the laws of this commonwealth against perjury, the forfeiture of the whole amount of the price of the articles falsely charged for, one half of which amount shall go to the person or persons who shall give information and shall prosecute such charge to conviction, and the other half shall go to the military fund of this commonwealth.

Penalty for per-  
jury under the  
provisions of this  
section.

Expenditures of  
former appro-  
priation.

SECTION 10. That all expenditures of the appropriation of five hundred thousand dollars, made by the act of April 12, 1861, entitled "An Act for the better organization of the military," &c., on the warrant of the governor, are hereby declared to be as valid as if the same were made after settlement of accounts on the warrant of the auditor general: *Provided*, That the several disbursing officers or other persons who received moneys on the governor's warrant, as aforesaid, be and are hereby re-

Proviso.

required to settle for the same with the accounting officers of the commonwealth in the usual manner.

SECTION 11. That the adjutant general, quartermaster general and commissary general shall hold their respective offices for the term of three years, if they so long behave themselves, unless otherwise provided by law, shall each give bond, with sufficient security to be approved by the governor to the commonwealth, in the sum of twenty thousand dollars, for the faithful discharge of their respective official duties, and shall also be authorized to take and require from any deputies under them, bonds to the commonwealth in such sum and in such form as may be approved by the governor, to secure the faithful discharge of their respective duties; and all expenditures for the military service of the state shall be accounted for in such form and manner as the auditor general and state treasurer may have prescribed or may hereafter direct; the adjutant general, quartermaster general and commissary general shall be entitled to receive out of the state treasury from time to time, on the warrant of the governor, such sum or sums of money not exceeding at any one time three-fourths of the amount of the penalty in their respective bonds, as may be required for military service, and for all moneys thus received and expended by them they shall account in manner and form as is required by law, for each particular sum so drawn, before receiving any further sum under the provisions of this act.

Terms of adjutant, quartermaster and commissary generals Bonds.

Deputies to give bonds.

Expenditures, how accounted for.

How money to be drawn from treasury.

SECTION 12. That it shall not be lawful for any volunteer soldier to leave this commonwealth as such, unless he shall have been first accepted by the governor of this state, upon a call under a requisition of the President of the United States, made upon the governor direct for troops for the service of the United States, and no volunteer soldier shall be allowed by the governor to leave the state until fully armed and equipped for effective service.

Volunteers not to leave the state unless accepted by the governor and fully equipped.

SECTION 13. The governor is hereby authorized to draw on his warrants from the state treasury a sum not exceeding twenty thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, for the compensation of such persons as he may require to serve the commonwealth in the military organization of the state or the general government, and for the expenses incident to the business in which they may be employed, and he is hereby authorized to cause the same to be duly settled quarterly with the auditor general of the state, by causing the same to be accounted for, specifically, in all instances wherein the expenditure thereof may, in his judgment, be made public, and by making a certificate of the amount of such expenditures as he may deem proper for the interests of the state and national governments not to make public; and every such certificate shall be deemed a sufficient voucher for the sum or sums therein expressed to have been expended.

Appropriation for compensation of persons serving in the military organization of state or general government.

Mode of settlement.

SECTION 14. That the associate judges of the court of common pleas and the county commissioners of the several counties of this commonwealth shall constitute a board of relief, to meet monthly, or as often as they find necessary, at the office of the commissioners, and, upon reasonable claim or suggestion, furnish such amount of support or relief in each individual case

Associate judges and county commissioners to constitute a board of relief.



**Duties and powers.** as they may deem equitable and proper for the families, or persons resident in their respective counties, heretofore is or degree dependent upon such volunteers as have been enrolled and mustered into service from their several counties, and orders from the governor of the commonwealth, during the existence of the present exigencies of the general government the claims or suggestions for such relief to be made in writing setting forth the facts of the case, with such proofs and vouches as the board may require, and to be filed in the office as vouchers for any payments which may be made thereon: payments for relief to be made by orders drawn in the usual form, with an indorsement on the back of each, "issued by the board of relief," which indorsement shall be signed by one of the associate judges, and all the vouchers and the orders issued thereon shall be duly audited by the county auditors or other proper authorities, and published in the annual statement of the public expenditures of said counties; if it shall be found requisite by the commissioners of any county within this commonwealth, they are hereby authorized and empowered to make a temporary loan, or loans, at a rate of interest not exceeding seven per centum per annum, to carry into effect the measures of relief provided by this act: *Provided*, That all arrangements made by the several counties of this commonwealth for the support of the families of the volunteers mustered into service, are hereby legalized and declared to be in full force, until the provisions of this section are carried into effect by the several counties of this commonwealth.

**Authorized to make temporary loans.**

**proviso.**

**Tax authorized.**

**Limitation.**

**Loans heretofore negotiated, bonds issued, &c., confirmed and made valid.**

**Death of soldiers, relative to.**

**SECTION 15.** That it shall be lawful for the proper authorities of any county within this commonwealth, to assess and levy a tax for the payment of such appropriations as may have been or may hereafter be made by such authorities, for the relief of volunteers or of their families, or both, which volunteers shall have been or may be received into the service of this state or of the United States, in the present exigency of the country: *Provided*, That such assessment shall not, in any one year, exceed two and one-half mills upon the dollar of the taxable property of such county: *And provided further*, That all loans heretofore negotiated or moneys borrowed by any county, city or borough, for the purposes aforesaid, be and the same are hereby ratified and confirmed, and the bonds or other evidences of indebtedness issued or to be issued therefor, are hereby made good and valid; and that all appropriations heretofore made or to be made by county commissioners or municipal authorities, for the purpose of arming or equipping volunteers, or for the relief of their families, are hereby legalized, and shall be allowed them on the settlement of their accounts, as other payments are by law allowed.

**SECTION 16.** That in case any soldier shall die, after being mustered into the service of the United States or of this state, leaving a widow and minor children or a minor child under the age of fourteen years, the mother of such minor or minors shall receive eight dollars per month from this state, for the term of five years, unless all such minors shall, before the expiration of said five years, be of the age of fourteen, or unless she or they receive a pension from the United States. If such widow die

or marry before the expiration of said five years, such pension, from the time of such death or marriage, shall go to the support of such minor child or children as are then living.

SECTION 17. That any district attorney or other county or municipal officer of this commonwealth who may have enlisted and been received into the service of the state or the United States as a soldier or officer for any part of the term for which such attorney or officer shall have been elected, may appoint a deputy, who, with the approval of the court of common pleas of the county or district, shall discharge the duties of the said district attorney or other county or municipal officer during such term of service: *Provided*, That nothing herein contained be construed to discharge the bail to the commonwealth of any such district attorney or county or municipal officer: *Provided further*, That the provisions of this section shall not extend to aldermen or justices of the peace.

County and municipal officers enlisting may appoint deputies.

Court to approve

Proviso.

Proviso.

SECTION 18. That all incorporated universities, colleges and academies in this commonwealth are hereby authorized to establish, in connection with their several institutions, a military professorship, for the education of young men in military discipline and the art of war.

Military professorships in colleges, &c., authorized.

SECTION 19. That the commander-in-chief, in conjunction with the officers composing the grand staff of the militia of this commonwealth, are hereby authorized and required to organize a military corps, to be called the Reserve Volunteer Corps of the commonwealth, and to be composed of thirteen regiments of infantry, one regiment of cavalry and one regiment of light artillery. The said regiments shall severally be composed of companies of like number, and to be armed and equipped, clothed, disciplined, governed and officered, as similar troops in the service of the United States, and shall be enlisted in the service of the state for a period not exceeding three years or for the war, unless sooner discharged, and shall be liable to be called into the service of this state at such times as the commander-in-chief may deem their services necessary, for the purpose of suppressing insurrections or to repel invasions, and further to be liable to be mustered into the service of the United States, at such times as requisitions may be made by the President of the United States.

Organisation of Reserve Volunteer Corps, how composed, &c.

SECTION 20. That the commander-in-chief, in conjunction with the officers aforesaid, shall cause two or more camps of instructions, not exceeding eight, to be formed in different sections of the state, for the accommodation and instruction of said troops; and the governor shall appoint suitable officers or drill masters, with the rank and pay of captain, whose duty it shall be to instruct said troops in the military art, conforming, as near as may be, to the plan of instruction, rules, regulations and discipline adopted for similar troops in the service of the United States.

Camps of instruction to be formed and drill masters appointed by the governor.

SECTION 21. That the commander-in-chief shall cause the troops aforesaid to be drilled and instructed, in such encampments, for and during such periods of time as he may deem necessary to perfect them in the military art.

Discretionary with commander-in-chief as to time employed in instruction.

SECTION 22. That the said corps shall receive the same pay and rations when under such instructions in said camps, or in the active service of the state, as similar troops receive when

Pay and rations.

When not in camp or service to hold themselves in readiness at their residences.

Armories.

Arms, &c., to be furnished.

Captains to receipt to adjutant general and give bonds for safe keeping and return of arms, &c.

Companies and regiments to elect officers.

Governor to appoint chaplains.

Troops not to be kept in camp longer than three months.

Exception.

Rules and regulations.

Oath to be taken.

Arms to be procured for border counties.

To be received by county commissioners and bonds given for safe keeping, &c.

in the service of the United States, and that said troops shall when not under such instructions in camp, or in the service of the state or United States, at all times hold themselves in readiness at their respective residences to be called into the service of the state, or upon requisition of the President into the service of the United States, and shall be required to provide and keep in repair suitable armories for the safe keeping and preservation of their arms and accoutrements.

SECTION 23. That it shall be the duty of the commander-in-chief and adjutant general, to procure and furnish arms and accoutrements, and a uniform dress suitable for said troops, at the charge of the state; and the captains of the several companies composing said regiments shall be required to receipt to the adjutant general for said arms, accoutrements and uniform dress, and shall further give bond to the commonwealth, with surety in such sum as the governor shall direct, to be approved by the president judge of the court of common pleas of the county in which such captains may reside, conditioned for the safe keeping and delivery over to the adjutant general of such arms and accoutrements as may be received by them for their respective companies, upon demand legally made by the adjutant general; and the said bonds, when so approved, shall be filed in the office of the adjutant general.

SECTION 24. That the several companies and regiments composing said volunteer corps shall be entitled to elect, and the governor shall commission, officers similar in number and rank to those allowed like troops in the army of the United States: *Provided*, That the governor shall have power to appoint and commission chaplains for said corps, and to designate their rank.

SECTION 25. That no troops shall be kept in camp longer than three months at any one time, except the governor shall, upon the expiration of said three months, deem the longer continuance of said troops necessary for the protection of the commonwealth, or shall have a requisition for troops from the President of the United States.

SECTION 26. That the commander-in-chief, in conjunction with the grand staff aforesaid, are hereby authorized and empowered to make and adopt all needful rules and regulations for the speedy and efficient organization of said Reserve Volunteer Corps, and for arming and equipping the same with the most approved style of arms and equipments; and the officers and rank and file composing said volunteer corps shall be sworn or affirmed to support the constitution of this state, and the constitution of the United States.

SECTION 27. That the governor and adjutant general be and are hereby authorized and required to procure and furnish at the earliest possible time after the troops provided for in this bill shall have been supplied, not exceeding one thousand stand of modern approved arms and accoutrements for each of the counties of this commonwealth bordering on the Maryland, Delaware and Virginia lines, to be received by the county commissioners of the respective counties, for the purpose of arming organized troops for the defence of said counties, and for such other military service contiguous to their borders, as they may legally be called upon to perform; and the county commissioners

of said counties shall respectively execute a bond in the name and in behalf of such county, in such sum as the governor shall direct, conditioned for the safe keeping and delivery over to the adjutant general all such arms and accoutrements as may be received by them for the purpose aforesaid, at such times as the governor may direct; and the bonds so executed shall be filed in the office of the adjutant general.

SECTION 28. That the governor and the adjutant general be and are hereby authorized and required, as soon as practicable, to procure suitable arms and accoutrements sufficient to arm the volunteer companies of this state, now or hereafter to be regularly organized under existing laws, and further to collect and contract for the remodeling of all such military arms belonging to the state, as are or have become deficient and unfit for modern service: *And provided further*, That before any arms are delivered to any volunteer companies, or home guards, they shall severally be sworn or affirmed to support the constitution of this state, and the constitution of the United States, and to obey all lawful orders of such officers as may be placed over them by proper authority: *And provided further*, That so much of any law heretofore existing authorizing members of volunteer companies to receive pay for any military parading not in the actual service of the state, is hereby suspended during the existence of the present war; and the military tax now imposed by the laws of this commonwealth shall be collected and paid into the treasury of the commonwealth, to meet the expenses of the militia mustered into actual service.

Arms and accoutrements to be procured for volunteer companies.

Remodeling of arms unfit for modern service. *Proviso.*

*Proviso.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 681.

## AN ACT

To authorize the Commissioners of Dauphin County to appropriate a certain sum of money for the support of the Families of Volunteers during the present war.

WHEREAS, The grand jury of Dauphin county, at April sessions, have recommended an appropriation of ten thousand dollars out of the county funds, for the support of the families of volunteers during the present war; therefore, *Preamble.*

Commissioners  
authorized to  
make appropria-  
tion.

How expended.

Bonds to be ne-  
gotiated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county commissioners of Dauphin county are hereby authorized and required to appropriate the sum of ten thousand dollars, out of the county funds, for the support of the families of volunteers during the present war, said sum to be paid out by the treasurer of said county, under the direction of the court of quarter sessions of said county, to such persons, at such times, and in such sums as said court may order and direct.

SECTION 2. The county commissioners aforesaid are hereby authorized and required to negotiate, of the bonds already authorized to be issued by them, to an amount sufficient to realize the sum of ten thousand dollars, to be appropriated as provided in the first section of this act; said bond to be payable in ten years, and to be free of state tax.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 682.

## AN ACT

Relating to Notaries Public.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where a notary public of this commonwealth shall go into the military service of this state, or of the United States, every such notary public shall have full power to appoint a deputy, to act in his stead during his absence in said service; and the acts of said deputy shall be as valid, to all intents and purposes, as if done by the notaries public themselves; and it shall be lawful for the said deputies to use the seals of their principals, in the performance of their said duties: *Provided,* That the said deputies shall be subject to all the legal liabilities of notaries public; and before entering upon the duties of said appointments, the said deputies shall give security in the same amount and manner as now required by law for notaries public; and the said deputations shall be acknowledged or proved as deeds are now required by law to be acknowledged or proved,

and the same shall be recorded in the office for recording of deeds in the proper county, a copy of which record, duly certified, shall in all cases be as valid and binding in law, as the original deputation would have been: *And provided*, That this shall not be construed in any way to extend the term of the said deputies beyond the limit of the term for which the notaries public, appointing them, were respectively appointed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 683.

AN ACT

To authorize the Brigade Inspector of the Second Brigade, Seventh Division, Pennsylvania Militia, to appoint a Deputy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the brigade inspector of the second brigade, seventh division of the Pennsylvania militia, be and he is hereby authorized and empowered to appoint a deputy, who shall discharge all the duties of said office in the absence of the said brigade inspector, in the service of his country.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 684.

## AN ACT

Providing for the Pay of Volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act of the second of April, A. D. one thousand eight hundred and twenty-two, entitled "An Act for the regulation of the militia of this commonwealth," relative to the pay, rations and forage of the officers, non-commissioned officers and privates of the volunteers of this state, called into the service of the United States, shall apply to the volunteers called, and to be called, into the service of the United States, during the present war of rebellion of certain states of this Union.*

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 685.

## AN ACT

Relating to certain Claims for the Subsistence of Volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissary general and the auditor general be and they are hereby authorized and required to examine all claims for subsistence heretofore furnished to troops accepted by the governor, before such troops were admitted into camp; and if they shall find said claims to be correct and to have been contracted upon the order of the general officer in command where the same was contracted, and that they are certified by the captain, the auditor general shall draw his warrant upon the treasurer for the amount found to be due, whose duty it shall be to pay*

the same out of any money remaining in the treasury not otherwise appropriated.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 686.

# AN ACT

Relative to the Expenses incurred in Boarding and Lodging Volunteers mustered into service from the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the associate judges of the court of common pleas and county commissioners of Bradford county, may and they are hereby authorized, if they shall deem it right and proper, to adjust and pay, upon proper vouchers, the actual expenses incurred in mustering, boarding and lodging the first companies mustered into service in said Bradford county, under the requisition of the governor. All such vouchers and payments to be audited according to law.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.



No. 687.

## AN ACT

Relating to the Home Guard of the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the councils of Philadelphia, for the defence of said city and the protection of life and property therein, are hereby empowered to create and organize a Home Guard, which shall consist of such companies and regiments of volunteer soldiers as are now or may be organized for the defence of the said city: *Provided,* The same shall not exceed ten thousand men.

Councils empowered to organize a Home Guard.

Proviso.

Mayor to appoint brigadier general to serve until election.

**SECTION 2.** That the mayor of Philadelphia, by and with the advice of the select council, shall appoint an officer, with the rank of brigadier general in the volunteer militia of this commonwealth, who shall be commissioned as such by the governor, and shall command the Home Guard organized in pursuance to the provisions of this act, and who shall hold and execute the duties of said office until his successor elected, as hereinafter determined, shall be qualified to perform the duties thereof.

Time of election.

**SECTION 3.** That on the second Monday of September, one thousand eight hundred and sixty-one, an election shall be held by the Home Guard according to the mode established for elections for the office of brigadier general by the general militia laws of this commonwealth, and the person so elected, when confirmed by the select council and commissioned by the governor, shall enter upon the duties of the office of commander of the Home Guard, on or after the second Monday of October, one thousand eight hundred and sixty-one, and shall hold and execute the duties of said office for the term of five years from the said second Monday of October, one thousand eight hundred and sixty-one, if the said Home Guard shall so long continue to exist. If the said Home Guard shall exist for a longer term than five years, elections for the commander of said Home Guard shall be held every five years after the first election shall be held, or oftener, if vacancies shall occur.

When brigadier general to enter upon his duties.

Term.

Officers and members of Home Guard.

**SECTION 4.** That the Home Guard hereby established, shall be a part of the militia of this commonwealth, and shall be composed of white male residents of the city of Philadelphia, above the age of eighteen years, who shall enroll themselves for the performance of military duty in the defence of the said city, and the officers thereof shall be elected or appointed as provided for by officers of like grade in the general militia laws of this commonwealth, and shall be commissioned by the governor; and the commander, officers and the members thereof, shall be liable to be tried for misconduct, by court martial, as is provided for by the militia laws of this state.

**SECTION 5.** That the commander of the Home Guard shall command the same, and shall promote the efficiency and discipline thereof by proper regulation, which shall be subject to the approval of the councils of Philadelphia, and when required by the mayor of said city, he shall order out the whole or any part of the said guard for the preservation of the public peace and the defence of the city, and during the existence of the said guard shall determine the style of the uniform: *Provided*, Uniformity of color shall be preserved in each regiment respectively, the equipment and arming thereof, and the division of the same into corps, infantry, cavalry, artillery or otherwise.

Duty of commander.

Subject to.

Style of uniform.

**SECTION 6.** That every member of the Home Guard shall, on being enrolled, be duly sworn or affirmed to support the constitution of the United States and of the state of Pennsylvania, to defend the city of Philadelphia when called upon so to do, and to obey the orders of his superior officers, so long as he shall be a member thereof; but nothing in this act shall be construed to exempt any of the members of the Home Guard between the ages of eighteen and forty-five, from military service, either under the laws of this commonwealth or of the United States; and that the said Home Guard, or any portion thereof, shall be subject to the requisition of the state or general government for service at any time: *Provided*, That nothing in this act shall be so construed as to require the state to furnish, equip or pay said Home Guard, except when called into the service of the state by the governor.

Members to be sworn.

To be subject to the requisition of state or general government. *Provide*.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

**APPROVED**—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 688.

## AN ACT

Supplementary to an act incorporating the town of West Chester, in the county of Chester, into a borough.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in case of any vacancy existing, or which may hereafter occur, in the town council of said borough of West Chester, by the death, resignation or otherwise of either of the burgesses or assistant burgesses, the remaining members of said town council

## LAWS OF PENNSYLVANIA,

are authorized and required forthwith to elect a suitable person qualified as is now required by law to fill said vacancy, who shall continue in office until the next regular election of burgesses by the electors of said borough.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 669.

## AN ACT

Authorizing the Governor to appoint a Brigade Inspector for the Third Brigade of the Seventeenth Division, Pennsylvania Militia.

WHEREAS, William S. Mellinger, brigade inspector of the third brigade, seventeenth division of Pennsylvania militia, has resigned his official position, and owing to the absence of many of the officers of the brigade, no fair election can be had; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and he is hereby authorized to appoint and commission some suitable person to perform the duties of brigade inspector for the third brigade of the seventeenth division of Pennsylvania militia, during the period for which the late brigade inspector was elected, who shall receive the same pay for services as is allowed by law to such officers.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 690.

AN ACT

To authorize the Quartermaster General to purchase Clothing for Troops.

WHEREAS, The quartermaster general has, in reply to the resolution of inquiry, passed by this House, answered that sixteen regiments have been clothed by the state, and that there are nine regiments for whom no provision of clothing has yet been made, except the proposals now being opened and prepared for contract, and that some time must elapse before the proper material can be furnished, and that in his opinion there is necessity for immediate purchases in open market, to supply their wants, before the clothing to be contracted for can be supplied; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the quartermaster general be and he is hereby directed and required to purchase, in open market, such supplies of clothing for the regiments not yet supplied, as will meet their immediate and urgent wants, and to procure the same at the lowest cash prices.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 691.

AN ACT

For the Relief of George Jordan.

WHEREAS, George Jordan, of the city of Philadelphia, and formerly an employee of the commonwealth, was very severely injured, without fault of his own, while in the discharge of his duty on the Columbia railroad, at the Pequea bridge:

*And whereas, By virtue of an act, entitled "An Act authorizing the auditor general and state treasurer to examine the claim of George Jordan," approved the sixteenth day of March, Anno*

Domini one thousand eight hundred and sixty-one, it has been reported to the legislature by the auditor general and state treasurer, *inter alia*, that the application as addressed to the sense of general justice of the law-making power, has certainly very great merit; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized and directed to pay to George Jordan, his agent or attorney, out of any moneys not otherwise appropriated, in the treasury of this commonwealth, the sum of one thousand five hundred dollars, for injuries sustained while in the service of the state.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 692.

## AN ACT

To provide for the payment of the Members, Officers, and Contingent Expenses of the Extra Session of the Legislature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized to pay to each member of the Senate and House of Representatives, the sum of ten dollars for stationery, and three dollars per day and the usual mileage, in full, for services at the present extra session.

Pay of members  
of the extra ses-  
sion of legisla-  
ture.

Clerks and other  
officers.

SECTION 2. For the payment to the chief, assistants and transcribing clerks, the postmaster, sergeant-at-arms, door-keepers and messengers of the House and Senate, and their assistants, the compensation allowed by existing laws for an extra session, and the same rate of compensation to all other officers who were employed at the last session and now in service; and to the pages of Senate and House, one dollar per day each; and to the pasters and folders, three dollars per day each; and to the persons named in the forty-second section of the act of April seventeenth, one thousand eight hundred and sixty-one, entitled "An Act to provide for the ordinary expenses of the government, and other specific appropriations," the same amount as is by this act allowed to assistant and transcribing clerks; and to the fireman in charge of the furnaces, the sum of two

Pages, pasters  
and folders.

Fireman.

dollars per day each; and the further sum of one dollar per day to Daniel Best, for keeping in order the closets in the basements, Daniel Best. the number of days to be certified to by the clerk: *Provided however*, That upon the occasion of any extra session, at any time hereafter, the compensation of the clerks and other officers shall be regulated by the then existing legislature.

SECTION 3. To George Bergner, the sum of seven dollars per page for the Legislative Record, published during the present extra session, the amount to be certified by the superintendent of the public printing; and for making an index to the same, a further sum of twenty-five dollars. George Bergner, publisher of Legislative Record.

SECTION 4. For the payment of the expenses incurred by the executive and state department, in calling the present extra session of the general assembly, the sum of two hundred dollars, or so much thereof as may be necessary. Expenses in calling extra session

SECTION 5. For the contingent expenses of the Senate and House of Representatives, the sum of one thousand dollars each, or so much thereof as may be necessary, to be drawn, expended and accounted for according to existing laws. Contingent expenses.

SECTION 6. That the governor be and he is hereby authorized to advertise, for at least fifteen days, in one newspaper in Philadelphia, Pittsburg and Harrisburg, inviting proposals for the loan, or any part thereof, as authorized by the act, approved the fifteenth day of May, one thousand eight hundred and sixty-one, entitled "An Act to create a loan and to provide for arming the state," which proposals shall state the price intended to be paid for such loan; and at noon, at the day appointed for that purpose, the secretary of the commonwealth, in the presence of the governor, state treasurer and auditor general, and such other persons as may attend, shall proceed to open and allot the loan to the highest and best bidder or bidders; whereupon bonds or certificates of loan shall be issued to the persons entitled thereto, on payment being made by them in accordance with their bid, in such sums and amounts, and in such manner as is provided in said act; and any bank of this commonwealth, whose bid shall be accepted for all or any part of said loan, shall be drawn on, for the amount taken by them, by draft, in favor of the party having claims against the commonwealth for supplies furnished or services performed; and there is hereby directed to be levied a special tax of one-half mill on the dollar, which shall be levied and collected, on all property now subject to state tax, in like manner as other taxes, and which shall be applied, so far as may be necessary, to the payment of the interest upon said loan; and the surplus arising therefrom shall be set apart to be invested, which, with its accumulations, is hereby pledged to be applied to the extinguishment of the principal of the loan authorized by said act. Governor authorized to advertise inviting proposals for loan.

SECTION 6. That the governor be and he is hereby authorized to advertise, for at least fifteen days, in one newspaper in Philadelphia, Pittsburg and Harrisburg, inviting proposals for the loan, or any part thereof, as authorized by the act, approved the fifteenth day of May, one thousand eight hundred and sixty-one, entitled "An Act to create a loan and to provide for arming the state," which proposals shall state the price intended to be paid for such loan; and at noon, at the day appointed for that purpose, the secretary of the commonwealth, in the presence of the governor, state treasurer and auditor general, and such other persons as may attend, shall proceed to open and allot the loan to the highest and best bidder or bidders; whereupon bonds or certificates of loan shall be issued to the persons entitled thereto, on payment being made by them in accordance with their bid, in such sums and amounts, and in such manner as is provided in said act; and any bank of this commonwealth, whose bid shall be accepted for all or any part of said loan, shall be drawn on, for the amount taken by them, by draft, in favor of the party having claims against the commonwealth for supplies furnished or services performed; and there is hereby directed to be levied a special tax of one-half mill on the dollar, which shall be levied and collected, on all property now subject to state tax, in like manner as other taxes, and which shall be applied, so far as may be necessary, to the payment of the interest upon said loan; and the surplus arising therefrom shall be set apart to be invested, which, with its accumulations, is hereby pledged to be applied to the extinguishment of the principal of the loan authorized by said act. Secretary of the commonwealth to open and allot the loan.

SECTION 6. That the governor be and he is hereby authorized to advertise, for at least fifteen days, in one newspaper in Philadelphia, Pittsburg and Harrisburg, inviting proposals for the loan, or any part thereof, as authorized by the act, approved the fifteenth day of May, one thousand eight hundred and sixty-one, entitled "An Act to create a loan and to provide for arming the state," which proposals shall state the price intended to be paid for such loan; and at noon, at the day appointed for that purpose, the secretary of the commonwealth, in the presence of the governor, state treasurer and auditor general, and such other persons as may attend, shall proceed to open and allot the loan to the highest and best bidder or bidders; whereupon bonds or certificates of loan shall be issued to the persons entitled thereto, on payment being made by them in accordance with their bid, in such sums and amounts, and in such manner as is provided in said act; and any bank of this commonwealth, whose bid shall be accepted for all or any part of said loan, shall be drawn on, for the amount taken by them, by draft, in favor of the party having claims against the commonwealth for supplies furnished or services performed; and there is hereby directed to be levied a special tax of one-half mill on the dollar, which shall be levied and collected, on all property now subject to state tax, in like manner as other taxes, and which shall be applied, so far as may be necessary, to the payment of the interest upon said loan; and the surplus arising therefrom shall be set apart to be invested, which, with its accumulations, is hereby pledged to be applied to the extinguishment of the principal of the loan authorized by said act. When bonds or certificates to be issued.

SECTION 6. That the governor be and he is hereby authorized to advertise, for at least fifteen days, in one newspaper in Philadelphia, Pittsburg and Harrisburg, inviting proposals for the loan, or any part thereof, as authorized by the act, approved the fifteenth day of May, one thousand eight hundred and sixty-one, entitled "An Act to create a loan and to provide for arming the state," which proposals shall state the price intended to be paid for such loan; and at noon, at the day appointed for that purpose, the secretary of the commonwealth, in the presence of the governor, state treasurer and auditor general, and such other persons as may attend, shall proceed to open and allot the loan to the highest and best bidder or bidders; whereupon bonds or certificates of loan shall be issued to the persons entitled thereto, on payment being made by them in accordance with their bid, in such sums and amounts, and in such manner as is provided in said act; and any bank of this commonwealth, whose bid shall be accepted for all or any part of said loan, shall be drawn on, for the amount taken by them, by draft, in favor of the party having claims against the commonwealth for supplies furnished or services performed; and there is hereby directed to be levied a special tax of one-half mill on the dollar, which shall be levied and collected, on all property now subject to state tax, in like manner as other taxes, and which shall be applied, so far as may be necessary, to the payment of the interest upon said loan; and the surplus arising therefrom shall be set apart to be invested, which, with its accumulations, is hereby pledged to be applied to the extinguishment of the principal of the loan authorized by said act. Mode of drawing upon banks whose bids have been accepted.

SECTION 6. That the governor be and he is hereby authorized to advertise, for at least fifteen days, in one newspaper in Philadelphia, Pittsburg and Harrisburg, inviting proposals for the loan, or any part thereof, as authorized by the act, approved the fifteenth day of May, one thousand eight hundred and sixty-one, entitled "An Act to create a loan and to provide for arming the state," which proposals shall state the price intended to be paid for such loan; and at noon, at the day appointed for that purpose, the secretary of the commonwealth, in the presence of the governor, state treasurer and auditor general, and such other persons as may attend, shall proceed to open and allot the loan to the highest and best bidder or bidders; whereupon bonds or certificates of loan shall be issued to the persons entitled thereto, on payment being made by them in accordance with their bid, in such sums and amounts, and in such manner as is provided in said act; and any bank of this commonwealth, whose bid shall be accepted for all or any part of said loan, shall be drawn on, for the amount taken by them, by draft, in favor of the party having claims against the commonwealth for supplies furnished or services performed; and there is hereby directed to be levied a special tax of one-half mill on the dollar, which shall be levied and collected, on all property now subject to state tax, in like manner as other taxes, and which shall be applied, so far as may be necessary, to the payment of the interest upon said loan; and the surplus arising therefrom shall be set apart to be invested, which, with its accumulations, is hereby pledged to be applied to the extinguishment of the principal of the loan authorized by said act. Special tax of one-half mill to be levied.

SECTION 6. That the governor be and he is hereby authorized to advertise, for at least fifteen days, in one newspaper in Philadelphia, Pittsburg and Harrisburg, inviting proposals for the loan, or any part thereof, as authorized by the act, approved the fifteenth day of May, one thousand eight hundred and sixty-one, entitled "An Act to create a loan and to provide for arming the state," which proposals shall state the price intended to be paid for such loan; and at noon, at the day appointed for that purpose, the secretary of the commonwealth, in the presence of the governor, state treasurer and auditor general, and such other persons as may attend, shall proceed to open and allot the loan to the highest and best bidder or bidders; whereupon bonds or certificates of loan shall be issued to the persons entitled thereto, on payment being made by them in accordance with their bid, in such sums and amounts, and in such manner as is provided in said act; and any bank of this commonwealth, whose bid shall be accepted for all or any part of said loan, shall be drawn on, for the amount taken by them, by draft, in favor of the party having claims against the commonwealth for supplies furnished or services performed; and there is hereby directed to be levied a special tax of one-half mill on the dollar, which shall be levied and collected, on all property now subject to state tax, in like manner as other taxes, and which shall be applied, so far as may be necessary, to the payment of the interest upon said loan; and the surplus arising therefrom shall be set apart to be invested, which, with its accumulations, is hereby pledged to be applied to the extinguishment of the principal of the loan authorized by said act. To be applied to payment of interest upon loan.

SECTION 6. That the governor be and he is hereby authorized to advertise, for at least fifteen days, in one newspaper in Philadelphia, Pittsburg and Harrisburg, inviting proposals for the loan, or any part thereof, as authorized by the act, approved the fifteenth day of May, one thousand eight hundred and sixty-one, entitled "An Act to create a loan and to provide for arming the state," which proposals shall state the price intended to be paid for such loan; and at noon, at the day appointed for that purpose, the secretary of the commonwealth, in the presence of the governor, state treasurer and auditor general, and such other persons as may attend, shall proceed to open and allot the loan to the highest and best bidder or bidders; whereupon bonds or certificates of loan shall be issued to the persons entitled thereto, on payment being made by them in accordance with their bid, in such sums and amounts, and in such manner as is provided in said act; and any bank of this commonwealth, whose bid shall be accepted for all or any part of said loan, shall be drawn on, for the amount taken by them, by draft, in favor of the party having claims against the commonwealth for supplies furnished or services performed; and there is hereby directed to be levied a special tax of one-half mill on the dollar, which shall be levied and collected, on all property now subject to state tax, in like manner as other taxes, and which shall be applied, so far as may be necessary, to the payment of the interest upon said loan; and the surplus arising therefrom shall be set apart to be invested, which, with its accumulations, is hereby pledged to be applied to the extinguishment of the principal of the loan authorized by said act. Surplus pledged to the extinguishment of principal.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 693.

## AN ACT

Supplementary to an act, entitled "A supplement to an act to incorporate the Mahoney and Broad Mountain Railroad Company," approved March twenty-ninth, one thousand eight hundred and sixty-one.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act, entitled "A supplement to an act to incorporate the Mahoney and Broad Mountain railroad company," approved the twenty-ninth day of March, A. D. 1861, as declares that the said company shall have the right to cross at grade, and to make connections with any other railroads or laterals which their road may meet or intersect, in the line of its route or its branches, in all such cases making just compensation for property, rights or franchises, taken or used in the manner provided in the eleventh section of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine; and the said company shall have the right to run locomotive engines and cars, not exceeding, in any one distance, six miles, upon roads so connected, with paying such tolls as may now by law be charged upon such roads; and in addition thereto, as compensation for so running locomotive engines, paying at the rate of five cents per mile for any distance so run by locomotive engines with freight, and subject to such reasonable rules and regulations as are now adapted for the use of rolling stock upon such roads, not inconsistent with the rights hereby granted, be and the same is hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

**APPROVED**—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 694.

## A N A C T

Relative to Military Expenses in certain Counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the associate judges of the courts of common pleas, and county commissioners, of all the counties of this commonwealth, except Allegheny, Blair, Bradford, Lancaster, Philadelphia, Dauphin and Crawford, may and they are hereby authorized, if they shall deem it expedient, to adjust and pay, upon proper vouchers, the actual expenses incurred in mustering, boarding and lodging the military companies mustered into service from said counties.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 695.

## A S U P P L E M E N T

To the act for the better organization of the Militia of the Commonwealth, approved the twelfth of April, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the adjutant general, quartermaster general and commissary general, whilst in active service, shall hold the same rank as like officers in the army of the United States, and shall be entitled to pay at the rate of six dollars per day when actually engaged in the service of the state, and to rations when visiting camps upon business appertaining to their offices; and so



much of the act to which this is a supplement, as is inconsistent with this act, be and the same is hereby repealed.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 696.

## AN ACT

Relating to Judgments and Executions.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Stay of execution upon judgments now unsatisfied or obtained within six months hereafter, &c.

upon all judgments now remaining unsatisfied, or which may be obtained within six months from the passage of this act, or upon which a sale of real estate has not yet been confirmed, there shall be a stay of execution for one year, from the passage hereof, as regards judgments now existing, and from their date as regards judgments obtained within six months after the date hereof: *Provided, That* the defendant is possessed of real estate

Proviso.

within the respective county or counties in which such judgment shall have been obtained, or in any other county within this commonwealth, to which the said judgment shall have been transferred, subject to be sold for the payment of such judgment worth in the opinion of any court, or any judge in vacation, justice or alderman, having jurisdiction of such judgments, at a fair valuation, a sum sufficient to pay or satisfy the same, over and above other incumbrances, and the amount exempted from levy and sale on execution; or said defendant shall give security for the payment of the same, to be approved by the court or a judge thereof in vacation, or the justice or alderman, before whom the same was obtained or may be depending, within sixty days from the date of the judgment, or from the passage of this act, which security shall consist of one or more persons, who shall satisfy the court, judge or justice by oath or affirmation, and such other evidence as may be required, that they are the *bona fide* owners of real or personal estate within the county where such judgment has been entered, worth, at a fair valuation, double the amount of such judgment, over and above all other debts and incumbrances, to which security the plaintiffs may file exceptions as now provided by law; and that in all actions now pending or instituted within twelve months

Defendants may give security for payment, to be approved by court or justice.

Nature of securities.

Plaintiffs may file exceptions to same.

after the passage of this act, in any of the courts of this commonwealth, on notes, bills, bonds or other instruments, for the payment of money or for the recovery of book debts, wherein the defendant or defendants, at any stage of the proceedings, before actual sale by the sheriff, shall have filed an affidavit, setting forth that the majority of his or their creditors whose demands exceed two-thirds of his or their entire indebtedness, have agreed, in writing, to extend the time of payment of the debts due them respectively, the court shall direct the prothonotary to report the terms of the said extension, upon evidence submitted to him by the defendant or defendants; and thereupon the court shall enter an order in the cause, that no execution shall issue, except at the periods when, and in the proportions which, it shall appear by the report of the prothonotary, that the majority of the creditors of the defendant or defendants, whose demands exceed two-thirds of his or their entire indebtedness, have agreed as aforesaid to extend the time of payment of the debts due them respectively, and no person or firm, bank or broker holding collaterals as security for debts due, or to become due, shall within one year from the taking effect of this act, sell at public or private sale any such collaterals, whether the same consist of mortgage, bond, note or other security, commercial or otherwise; and any party selling such collateral securities within such time shall become responsible for the same at double the amount for which it was pledged to the owner of such collateral: *And provided further*, That the provisions of this act shall extend to judgments entered, or to be entered, as well upon bond and warrant of attorney, as upon mortgages to secure the same, and to any subsequent grantee, or owner of the premises so bound, as well as to the original obligor or mortgagor; and also, to all judgments or debts upon which stay of execution has been, or may be waived by the debtor in any original obligation or contract upon which such judgment has been, or may hereafter be obtained, or by any stipulation entered into at any time separate from said obligation or contract: *And provided*, That nothing in this act contained shall be construed to stay any execution that may be issued after the expiration of sixty days from the passage of this act, for the purpose of collecting interest due, or to become due, upon any judgment, for any sum not less than five hundred dollars heretofore obtained; but no such execution shall be issued for less than six months arrearages of interest: *Provided*, That this act shall not apply so as to stay the collection of interest on judgment entered for the security for the payment of money to widows, orphans, or minors: *And provided further*, That this act shall not apply to any judgment obtained for the wages of labor, or to debts contracted after the passage of this act, but shall apply to all corporations, whether defendants or holders of collaterals.

SECTION 2. That in all cases in which a defendant shall be entitled to a stay of execution under the provisions of this act, and shall neglect or refuse to claim the benefit thereof, any mortgagee of the premises levied upon, or other lien creditor whose estate or interest therein would be affected by sale of the said premises, shall have the like right with the defendant to claim such stay of execution.

Prothonotary to report to court the terms of extension granted by majority of creditors, as set forth in affidavit to be filed by defendant.

Thereupon court to enter order.

Collaterals held as security not to be sold within one year.

Penalty for violation of this provision.

To extend to judgments entered upon bond and warrant of attorney, upon mortgages to secure the same, &c.

Excepted cases.

Mortgagees or lien creditors may claim stay, when defendant has neglected the same.

Stay to be had  
upon judgments  
upon conditional  
verdicts, &c.

SECTION 3. That upon all judgments heretofore entered, or which may hereafter be entered upon conditional verdicts, stipulations, or warrants of attorney in action of ejectment, a like stay of execution shall be had upon the same terms and conditions provided in the first section of this act.

To apply to all  
judgments in  
which a sale by  
judicial process  
has not been  
made.

SECTION 4. That the provisions of this act shall be construed to apply to all judgments in which a sale by judicial process has not been actually made.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

L. W. HALL,

*Speaker of the Senate.*

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## RESOLUTIONS

PASSED EXTRA SESSION OF EIGHTEEN HUNDRED AND SIXTY-ONE.

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No. 1.

### JOINT RESOLUTION

Relative to the Extra Session.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That all legislation during the present extra session of the legislature shall be confined to the subject matter referred to in the message of the governor, and matters incident thereto, and to the subject of the currency.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 2.

### JOINT RESOLUTION

Relative to the Pay of the late Peace Commissioners and their Clerk.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and required to pay each of the commissioners, appointed in pursuance of a "resolution to appoint commissioners to a convention of the states," approved January thirty-first, eighteen hundred and sixty-one, and their secretary, the sum of five hundred dollars,*

## LAWS OF PENNSYLVANIA,

out of moneys already appropriated for the expenses of said commission.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 3.

## JOINT RESOLUTION

Relative to admitting Volunteer Companies into Camp.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That the governor be instructed to direct that companies formed under the present exigencies of the times, which have left their several counties, and such companies as may be awaiting admission, in the vicinity of the several camps of this commonwealth, be received into said camps, and provision be made for the subsistence of such companies, without further charge to the commonwealth until otherwise provided.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 4.

## RESOLUTION

Relative to the admission of the Jefferson Riflemen, of Virginia, into Camp.

*Resolved by the Senate and House of Representatives in General Assembly met,* That the governor is hereby authorized to re-

ceive into the service of the state the Jefferson Riflemen, under the command of captain R. E. Johnston, of Hancock county, Virginia, and assign them quarters in camp.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

No. 5.

JOINT RESOLUTION

Relative to the Philadelphia Artillery Regiment.

WHEREAS, The Philadelphia Artillery regiment, colonel Max Einstein commanding, tendered their services to the governor, and were accepted by him on the tenth day of April:

And whereas, The said Philadelphia Artillery regiment, by some means, has been disappointed or failed to be mustered into the service of the United States; therefore,

*Resolved by the Senate and House of Representatives,* That the commissary general be directed to furnish the non-commissioned officers, musicians and privates of said regiment, with rations until such time as they may be mustered into the service of the United States or discharged by the governor.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 6.

## JOINT RESOLUTIONS

Relative to the procuring of Standards for the several Regiments of Pennsylvania called or to be called into the Service of the United States.

SECTION 1. *Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly* *ad*, That the governor of the commonwealth be requested to ascertain how the several regiments raised in Pennsylvania during the war of the revolution, and the war of 1812, and the war with Mexico, were numbered, among what divisions of the service they were distributed, and where the said regiments distinguished themselves in action. That having ascertained the particulars aforesaid, he shall procure regimental standards, to be inscribed with the numbers of those regiments respectively, on which shall be painted the arms of this commonwealth, and the names of the actions in which the said regiments distinguished themselves. That the standards so inscribed shall be delivered to the regiments now in the field or forming, bearing the regimental numbers corresponding to the regiments of Pennsylvania in former wars.

SECTION 2. That the governor do procure regimental standards for all the regiments formed or to be formed in Pennsylvania, beyond the numbers in former wars, upon which shall be inscribed the number of the regiment, and painted the arms of this commonwealth; and that all these standards, after the present unhappy rebellion is ended, shall be returned to the adjutant general of the state, to be further inscribed, as the valor and good conduct of each particular regiment may have deserved; and that they then be carefully preserved by the state, to be delivered to such future regiments as the military necessities of the country may require Pennsylvania to raise.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 7.

## JOINT RESOLUTION

Authorizing the Purchase of Colonel D. W. C. Baxter's Infantry Drill.

WHEREAS, Experience has shown that the use of military works adds to the efficiency of the volunteer force, and gives them the aid of a standard military instruction as their guide; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the secretary of the commonwealth be and is hereby instructed to procure, for the use of the volunteer militia, ten thousand copies of the part first of the Volunteer Manual by lieutenant colonel D. W. C. Baxter, of the second regiment of infantry of the first brigade, first division, Pennsylvania volunteer militia, now in the service of the United States, sufficient to place a copy in the hands of each commissioned and non-commissioned officer, and for distribution among the soldiers of the volunteer corps of Pennsylvania: Provided, That the cost of the same shall not be more than ten cents per copy: And provided further, That the approvals of major generals Patterson and Keim shall first be obtained, that this is the most suitable work for the purpose; and the state treasurer is hereby directed to pay for the same, on a requisition of the secretary of the state made upon him, out of any moneys not otherwise appropriated in the state treasury.*

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## No. 8.

## JOINT RESOLUTION

Directing the Appropriation of the Money presented to the State by the Society of the Cincinnati of Pennsylvania.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That*



whereas the governor, in his message of the eighth of May instant, has informed the legislature that the society of the Cincinnati of Pennsylvania has presented to the executive five hundred dollars, to be used towards arming and equipping the volunteers of Pennsylvania:

*And whereas*, The governor has expressed the desire that the legislature will direct its appropriation:

*And whereas*, In the present unprecedented circumstances of the country, suffering under a treasonable assault upon our constitutional liberties, this expression of patriotism, by a society founded by Washington and the illustrious chiefs of the revolution, and embracing in its present organization their immediate and lineal descendants, and which is so honorably, closely associated with the hallowed memories which cluster around the early struggles and checkered history of our republic, demands especial recognition and approval; therefore,

*Resolved*, That the governor be and is hereby directed to expend the said money in the purchase of regimental flags having the coat of arms of the state, and to be inscribed as provided for in, and to be under the provisions of the act, entitled "A Joint resolution relative to procuring standards for the several regiments of Pennsylvania, called into the service of the United States."

*Resolved*, That the governor of this state be authorized and directed to convey to the patriotic donor the acknowledgments of this legislature, for the generous contribution thus spontaneously made towards the preservation of that Union which was established by the labors and sacrifices, and converted by the blood of the gallant founders of their honored association.

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

LOUIS W. HALL,

*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 9.

## JOINT RESOLUTION

Relative to Revising of the Revenue Laws of the Commonwealth.

*Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met*, That the governor of this commonwealth be and he is hereby authorized and required to appoint, by and with the advice and consent

of the Senate, three competent citizens of this commonwealth as commissioners to revise, collate and digest all acts and statutes relating to or touching the revenue laws of the commonwealth.

*Resolved*, That it shall be the duty of the said commissioners carefully to collect all acts and statutes, or parts thereof, relating to or touching the revenue laws of the commonwealth, and arrange the same systematically under proper titles, divisions and sections, and to suggest to the legislature any contradictions, omissions, defects or imperfections that may appear in the act to be revised, and the mode in which the same may be reconciled, supplied, improved or amended, to designate such acts or statutes, or parts of acts, as ought to be repealed, and to prepare and submit to the legislature new acts, as they may deem advisable or necessary, and generally it shall be the duty of the said commissioners to execute the trust confided to them, in such a manner as to render the revenue laws of the state more efficient, equal, clear and perfect.

*Resolved*, That the said commissioners be required to report the result of their labors to the legislature on or before the third Tuesday of January, one thousand eight hundred and sixty-two.

*Resolved*, That the said commissioners shall each receive for their services the sum of three hundred dollars, in full for compensation for the duties hereby imposed.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

LOUIS W. HALL,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

## APPENDIX—1853.

No. 697.

### A N A C T

To authorize the Council and Inhabitants of the borough of Frankford to borrow money to erect Gas Works in the borough; relative to the Powelton School House, in Philadelphia county; to the American College of Medicine, and to holding Elections in Delaware township, Junius county.

**Council and inhabitants of Frankford to borrow money.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the council and inhabitants of the borough of Frankford, in the county of Philadelphia, be and they are hereby authorized and invested with full power to borrow, upon the faith of the said corporation, a sum not exceeding one hundred thousand dollars, to enable them to erect gas works for the benefit of the inhabitants of said borough and vicinity.

**Rate of interest regulated.** SECTION 2. That the time at which said loan for the erection of said works shall be redeemable, and the rate of interest to be paid for the same, shall be regulated and determined by a majority of the councilmen of the said borough: *Provided always,* That the rate shall not exceed six per cent. per annum, and that no certificate shall be issued of a less denomination than one hundred dollars.

**Trustees of Powelton school house authorized to sell.** SECTION 3. That Isaac White, Osborn Reed, William Johnston, John S. Vansant and Thomas Gentry, trustees of the Powelton school house, in the county of Philadelphia, or their successors in office, be and they are hereby authorized and empowered to sell and convey the Powelton school house, and lot of land thereunto belonging, to the controllers of the public schools of the First school district of Pennsylvania, for school purposes.

**Corporators.** SECTION 4. That Joseph S. Fisher, W. G. Hagaman, Edwin Cooledge, Jonas Bowman, Harman Baugh, W. G. Calvir, James Tuthill, William F. Smith, Henry F. Johnston, and their associates and successors, be and are hereby made and created a body politic and corporate, in law and fact, by the name, style and title of the American College of Medicine in Pennsylvania, and by the same shall have perpetual succession, and may sue and be sued, have a common seal, purchase, hold and convey all lands and tenements, moneys, goods, chattels and effects, make all by-laws necessary or proper for the uses of a medical college, and immediately connected therewith, not contrary to the constitution and laws of this commonwealth, and do all and

**Style.**

**Privileges.**

## APPENDIX—1857.

No. 699.

### A N A C T

To extend and continue the Charter of the Diligent Fire Engine Company of Philadelphia, and to grant the said company further privileges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the last six sections of the original law, entitled "An Act to incorporate the Pennsylvania fire company," approved April first, Anno Domini one thousand eight hundred and thirty-one, and so much of every part thereof, or of any other law or laws relating to the said Diligent fire engine company, heretofore enacted by the general assembly of the state of Pennsylvania, be and the same are hereby continued for the period of thirty years, from and after the dates or time at which such law or laws will or may hereafter expire. Charter extended.

SECTION 2. That if the said Diligent fire engine company of Philadelphia shall at any time hereafter unite with their present means for the extinguishment of fires in the city of Philadelphia, the use of steam apparatus, or any other effective agent, then, from and after the passage of this act, it shall and may be lawful for the said Diligent fire engine company of Philadelphia to elect, in addition to the four directors, as is now provided in their original charter, as many more directors, and such other officers as the said company may from time to time deem to be expedient for their own regulation and government. All such elections to be by ballot. May elect additional officers, when they procure steam apparatus.

SECTION 3. All laws inconsistent herewith are hereby repealed. Repealed.

J. LAWRENCE GETZ,  
*Speaker of the House of Representatives.*

DAVID TAGGART,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

## APPENDIX—1859.

No. 700.

### A N A C T

To incorporate the Johnstown and Ashtola Tramroad and Railroad Company.

Commissioners.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> W. J. Baer, John Border, Abraham Weaver, and Henry Foust and Mahlon Keim, of Somerset county; Lewis Durneger, E. A. Vickroy, Jonathan Marnier, of Cambria county, and William Bedell and Jesse Fitzgerald, of the city of Philadelphia, or any three of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name,</p>
Style.	style and title of the Johnstown and Ashtola tramroad and railroad company, with all the powers and subject to all the restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved nineteenth February, one thousand eight hundred and forty-nine, and the several supplements thereto, except in so far as the provisions of this act may otherwise provide for.
Powers.	
Subject to.	
Capital stock.	<p>SECTION 2. That the capital stock of said company shall consist of one thousand shares, of twenty dollars each, and shall be paid in as follows: One dollar per share at the time of subscribing, and the residue in instalments, not exceeding three dollars per share, in any period of thirty days: <i>Provided</i>, Said company may, from time to time, by a vote of the stockholders, at a meeting for that purpose called, increase their capital stock so much as in their opinion may be necessary to carry out the true intent of this act.</p>
Shares, how to be paid in.	
May increase capital.	
Authorized to construct tram or railway.	<p>SECTION 3. That said company shall have the right to build or construct a single or double track tramway or railway, or partly a tramway and partly a railway, of wood and iron, or wood without iron, in whole or part, from any point in or near Johnstown, in the county of Cambria, by such direct and practicable route as to the president and directors of the said company shall seem most advantageous, along or near the waters of the Stony creek, and Paint creek and its branches, to Ashtola, in Somerset county, with power and authority to extend the road along the waters of the Stony creek, to the confluence of the Beaver Dam and Stony creeks, in Somerset county, and with privilege of making lateral roads from any point on the main line, not exceeding ten miles in length, with the right to con-</p>
Route.	
Lateral roads authorized.	

ect said road with the Pennsylvania railroad in Cambria county, and with any road now making or to be made in Somerset county.

May connect with Pennsylvania railroad, &c.

SECTION 4. That any railroad company, or other incorporated company which may or shall own property in Cambria or Somerset counties, is hereby authorized and empowered to subscribe to the stock of said company, except municipal corporations.

Corporations empowered to subscribe to stock.

Exception.

SECTION 5. That the non-payment of the sum of one dollar, at the time of subscription, for each share subscribed, shall not invalidate the subscription: *Provided*, That said sum be paid within thirty days after the organization of said company.

Payment of subscriptions, relative to.

SECTION 6. That the said company are hereby authorized to borrow any amount of money, on such terms, at such rates of interest and such security as they may agree upon with the lender or lenders thereof, not exceeding their capital stock, with power to attach coupons for the payment of interest, at the office of the treasurer or at any bank in Pittsburg, Harrisburg or Philadelphia: *Provided*, The holders of such bonds may, at any time, convert them into the stock of the company, as may be agreed upon: *And provided*, No bond shall be issued for a less sum than one hundred dollars.

May borrow money.

Limitation.

Coupons may be attached.

Proviso.

Proviso.

SECTION 7. That said company shall, if they think it expedient, semi-annually pay interest to the several stockholders, at the rate of six per cent. per annum, or such other rate as they deem proper, on all instalments, from the time the same was paid in until the completion of the road; but in no case shall interest be paid to any stockholder who is in arrears with his instalments: *Provided*, That the stock of said company shall not be subject to a tax, in consequence of the interest hereby authorized to be paid.

Payment of interest to stockholders.

Stock not to be subject to tax in consequence of interest paid.

SECTION 8. That whenever any section or sections of two miles or more, of said road, shall be completed, the said company may use, occupy and enjoy the same as fully and in the same manner as if the whole were completed: *Provided*, That the road shall be commenced within three years, and completed within six years: *And provided*, That this charter, as to such parts of the road only as shall not be completed within six years, shall be null and void.

When road may be used, &c.

Proviso.

Proviso.

SECTION 9. That whenever said company shall have finished two miles or more of said road, they may establish, demand, receive and collect toll or charges, for the use of the road and for the conveyance of passengers and the transportation of freight of any kind, and the cars or vehicle containing the same, at such rates as to the company shall seem reasonable: *And provided*, That the second proviso in the eighteenth section of the act of nineteenth February, one thousand eight hundred and forty-nine, shall be held to supply such portions of this road only, not less than five miles in length, as shall be constructed and made into a regular locomotive railroad, and used and operated as such by means of steam engines.

When tolls or charges may be collected.

Proviso.

SECTION 10. That the governor is hereby authorized to issue letters patent to said company, whenever two hundred shares of stock shall have been subscribed to the capital stock of the company, and one dollar per share paid in.

Letters patent, when to be issued.

**Number of directors.** SECTION 11. That the directors of the company shall be seven in number: *Provided*, That the company may from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase the number of directors to any number not exceeding thirteen.

**May be increased.**

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, Jr.,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 701.

## AN ACT

To incorporate the Butler Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That James Campbell, I. J. Cummings, T. E. J. Lyon, S. G. Purvis, S. W. Lane, S. G. Purvis, Jacob Walter, Elisha Kingsberry, W. R. Cowdin, Josiah M'Candlys, Abram Zeigler, John Uerin, H. J. Klingler, Emil Morhauf, M. Zimmerman, William Campbell, Thomas C. Thompson, R. A. Mifflin, W. W. Dodds, Amos Young, W. S. Boyd, E. M'Junkin and Allen Wilson, are hereby appointed commissioners, who, or any five of them, are authorized and empowered, at any time after the passage of this act, to establish an insurance company, by the name, style and title of the Butler Mutual insurance company, to be located in the borough of Butler, county of Butler, to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first clause of the seventh section of said act, and transact its business upon the mutual principle.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JOHN CRESSWELL, Jr.,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

## APPENDIX—1860.

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No. 702.

### AN ACT

To incorporate the Logansville Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* George Kleckner, Daniel Ettinger, Jonathan Moyer, George B. Bogar, James F. Berry, Daniel Bortges and Daniel L. Reber be and they are hereby appointed commissioners, and they or a majority of them are hereby authorized to carry into effect the establishment of a water company, by the name, style and title of the Logansville water company, to be located in the town of Logansville, in the county of Clinton, with a capital stock of five hundred dollars, with the right to increase it to one thousand dollars, to be divided into shares of five dollars each, to be organized, managed and governed as provided by an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, one thousand eight hundred and fifty-seven, and to be subject to all the restrictions and provisions, together with all the rights and privileges, in said act or any supplement thereto.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The first day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 703.

### AN ACT

To charter the Delaware County Association for insuring against Horse Stealing and detecting Horse Thieves.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



- Corporators.** William Powell, Abram P. Morgan, Jonathan C. Larkin, William Hannum, Joseph Quinley, Elwood Tyson, David W. Eyre, Charles P. Walter, Samuel F. Larkin, Wesley Pool, David N. Larkin, Charles Dutton, Jacob Slawter, Alfred Mancel, Thomas Swayne, George Williams, Alvanzi W. Jester, Jonas Eyre, David S. Bunting, Salkeld Larkin, junior, John Wetherill and Samuel Turner, and such others as shall become associated with them, be and they are hereby incorporated into a body politic, under the name, style and title of the Delaware County association for insuring against horse stealing and detecting horse thieves.
- Name.**
- Objects.** SECTION 2. That the objects of the said association shall be first, to insure the members thereof against loss by having horses stolen, by requiring mutual contributions to a fund for making good any such loss; and second, to detect and arrest horse thieves, by offering and giving rewards for detection and conviction, by requiring the members to go in pursuit, and generally by assisting the officers of justice in bringing such crime to proper punishment.
- By-laws.** SECTION 3. That the said association shall have power to enact, alter and repeal by-laws, regulating the admission and expulsion of members, and fixing their contributions, procuring attendance at meetings and pursuit of horse thieves, by a uniform system of fines imposed for non-performance of such duties, to be collected by action of debt; fixing the terms upon which the members shall be insured against loss by horse stealing, regulating the duties of all the members and officers of the association, in carrying out its objects; providing for the election of the necessary officers, and fixing their number and functions, and generally providing all necessary means for carrying out the said objects: *Provided*, That such by-laws shall be adopted, altered or repealed only at meetings called for the purpose, after ten days public notice, by a vote of two-thirds of the members attending; that they shall be uniform in their operation upon all the members, and shall not be in conflict with the constitution and laws of the commonwealth of Pennsylvania, or of the United States.
- Previso.**
- Limitation.** SECTION 4. That this act shall continue in force for twenty-five years and no longer.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 704.

## A N A C T

To incorporate the East Mauch Chunk Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* A. W. Leisenring, W. B. Mack, John Rudale, Thomas Siegfroid, Solomon Dreisbach and George Ruddie, be and they are hereby appointed commissioners, who, or a majority of whom, are hereby authorized to establish a water company, to be located at or near the borough of East Mauch Chunk, in the county of Carbon, for the purpose of introducing, from the most convenient sources, into the said borough of East Mauch Chunk, and points adjacent thereto, a sufficient supply of pure and wholesome water; said company to have a capital of ten thousand dollars, divided into four hundred shares of twenty-five dollars each; and shall be organized and managed under the provisions of an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and any supplement thereto: *Provided, That it shall and may be lawful, at any time after five years from the introduction of water into the said borough of East Mauch Chunk, for the authorities of the said borough to become the owners of the said works and the property of said company, by paying therefor the net cost of erecting and maintaining the same, with interest thereon, at the rate of ten per centum per annum.*

J. M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 705.

## A SUPPLEMENT

To the act to incorporate the Crawford County Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the terms and provisions of the act to incorporate the Crawford County mutual insurance company, approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and forty, together with the powers, privileges, conditions and provisions thereof, be and the same are hereby continued in force for the term of twenty years from the twenty-eighth day of April, Anno Domini one thousand eight hundred and sixty.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 706.

## AN ACT

To incorporate the Trustees of the township of Jenkins, Luzerne county.

Preamble.

WHEREAS, The original proprietors of the township of Pittston, one of the seventeen townships of Luzerne county, surveyed and laid out certain lots of land in said township, and appropriated the same to and for the purposes of education, et cetera, in said township :

*And whereas,* On the thirteenth day of March, one thousand eight hundred and thirty-eight, the said proprietors were incorporated into a body corporate, under the title of the trustees of the township of Pittston, in the county of Luzerne :

*And whereas,* The said township of Pittston hath, since the said thirteenth day of March, one thousand eight hundred and thirty-eight, been divided into three parts, one part thereof still called the township of Pittston, one part thereof called the borough of Pittston, and one part thereof called the town-

ship of Jenkins; and the said original proprietors and their successors have been divided or set off from the said original township:

*And whereas*, There is no person or persons properly or legally authorized by law to recover or manage the portion belonging to the township of Jenkins of the said original proprietors' fund; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That

the taxable inhabitants of the township of Jenkins, in the county of Luzerne, being owners of land within the same, and all who shall hereafter inhabit and own land within the said township, are hereby authorized to meet on the day, and at the place of holding the township elections in said township, annually, and then and there, between the hours of holding said township elections, to elect, by ballot, a treasurer, a secretary, and three persons as trustees of the township of Jenkins; said election to be conducted by the officers of, and as a part of the township election; and the person having the highest number of votes for the respective offices shall be declared duly elected, when the said treasurer, secretary and three trustees shall respectively constitute a body corporate and politic, in law and in fact, by the name and style of the Trustees of the Proprietors of the township of Jenkins, and by the said name shall have perpetual succession, and all the privileges and franchises of corporations, and shall be able and capable in law of purchasing, taking and holding, to them and their successors, to the use of the proprietors of said township, land, tenements and hereditaments, real, personal and mixed, and of selling, transferring and conveying the same, in fee simple or for a less estate, of suing and being sued, pleading and being impleaded, and of doing any other act, matter or thing which a body corporate and politic may lawfully do: *Provided*, That said corporation shall not at any one time hold property exceeding in value ten thousand dollars.

Election of treasurer, secretary and three trustees, when and how held.

Incorporation.

Style.

Privileges.

Proviso.

SECTION 2. That the same provisions made and enacted in the third and fourth sections of the act of assembly, entitled "An Act to incorporate the trustees of the township and borough of Wilkesbarre, the trustees of the township of Plymouth, and the trustees of the township of Hanover, in the county of Luzerne," approved the second day of April, one thousand eight hundred and thirty-one, be and the same are hereby extended to and made applicable to this corporation, as fully as though the same were herein fully set forth.

The provisions of a certain act extended to this corporation.

SECTION 3. That immediately upon the passage of this act, the rights, interests and claims, real and personal, and all debts, dues and demands whatsoever, either in the original funds of the township of Pittston, or otherwise, which shall belong to any or all of the township of Jenkins, shall vest in said corporation, by virtue of this act, and be recoverable in their name, by action at law, as in other cases.

Effect of this act upon rights, claims, debts, &c.

SECTION 4. That the court of common pleas of Luzerne county be invested with jurisdiction to hear and determine, either by suit at law, as in other cases, by case stated, or by the direc-

Court to have jurisdiction over disputes between Pittston and Jenkins townships.

- tion of an issue, all disputes and difficulties between the proprietors of the township of Jenkins and the proprietors of the township of Pittston, in relation to the division and disposition of the fund in the hands of the proprietors of Pittston township, and thereupon to give judgment as shall be just: *Provided*, That either party shall be permitted to take a writ of error to the supreme court, in the same manner as in other cases of judgment upon verdict: *And provided*, That the costs shall abide the events in all such suits or proceedings.
- Writ of error may be taken.
- Costs.
- Treasurer to give bond.
- Officers to continue until election.
- SECTION 5. That the treasurer elected in pursuance of this act, before entering upon the duties of his office, shall give bond to the trustees aforesaid, with one or more good and sufficient sureties, in the penal sum of three thousand dollars, conditioned for the accounting for and paying over to his successor in office all moneys coming into his hands as treasurer of the said trustees.
- SECTION 6. That until the election of officers under the provisions of this act, Francis Yates, junior, Joseph P. Schooley, junior, and Crandal W. Thompson, shall be trustees, Andrew Bryden the treasurer, and Merritt Winters the secretary, who shall be authorized to do and perform every act, and to bring and prosecute suits at law, in the same manner and form as the trustees, treasurer and secretary, when elected under the provisions of this act, can and may do.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 707.

## AN ACT

To incorporate the Trustees of the borough of Pittston, Luzerne county.

### Preamble.

WHEREAS, The original proprietors of the township of Pittston, one of the seventeen townships of Luzerne county, surveyed and laid out certain lots of land in said township, and appropriated the same to and for the purposes of education in said township:

*And whereas*, On the thirteenth day of March, one thousand eight hundred and thirty-eight, the said proprietors were incorporated into a body corporate, under the title of the trustees of the township of Pittston, in the county of Luzerne:

*And whereas,* The said township of Pittston hath, since the said thirteenth day of March, one thousand eight hundred and thirty-eight, been divided into three parts, one part thereof still called the township of Pittston, one part thereof called the township of Jenkins, and one part thereof called the borough of Pittston, and the said original proprietors, and their successors, have been divided or set off from the said original township:

*And whereas,* There is no person or persons properly or legally authorized by law to recover or manage the portion belonging to the borough of Pittston of the said original proprietors' fund; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the taxable inhabitants of the borough of Pittston, in the county of Luzerne, being owners of land within the same, and all who shall hereafter inhabit and own land within the said borough, are hereby authorized to meet, on the day and at the place of holding the borough elections in said borough, annually, and then and there, between the hours of holding said borough elections, to elect a treasurer, a secretary and three persons as trustees of the borough of Pittston; said election to be conducted by the officers of and as a part of the borough election; and the person having the highest number of votes for the respective offices, shall be declared duly elected, when the said treasurer, secretary and three trustees shall respectively constitute a body corporate and politic, in law and in fact, by the name and style of the Trustees of the Proprietors of the borough of Pittston, and by the said name shall have perpetual succession and all the privileges and franchises of corporations; and shall be able and capable in law of purchasing, taking and holding, to them and their successors, to the use of the proprietors of said borough, land, tenements and hereditaments, real, personal and mixed, and of selling, transferring and conveying the same, in fee simple or for a less estate, of suing and being sued, pleading and being impleaded, and of doing any other act, matter or thing which a body corporate and politic may lawfully do: *Provided,* That said corporation shall not, at any one time, hold property exceeding in value ten thousand dollars.

Election of trustees, secretary and treasurer, when and how held.

Incorporation.

Style.

Privileges.

Proviso.

SECTION 2. That the same provisions made and enacted in the third and fourth sections of the act of assembly, entitled "An Act to incorporate the trustees of the township and borough of Wilkesbarre, the trustees of the township of Plymouth, and the trustees of the township of Hanover, in the county of Luzerne," approved the second day of April, one thousand eight hundred and thirty-one, be and the same are hereby extended to and made applicable to this corporation, as fully as though the same were herein fully set forth.

Provisions of a certain act extended to.

SECTION 3. That immediately upon the passage of this act, the rights, interests and claims, real and personal, and all debts, dues and demands whatsoever, either in the original funds of the township of Pittston, or otherwise, which shall belong to any or all of the borough of Pittston, shall vest in said corporation, by virtue of this act, and be recoverable in their name, by action at law, as in other cases.

Effect of this act upon all rights, interests, debts, &c.

Court to have jurisdiction over disputes between the borough and township of Pittston.

Writ of error may be taken.

Costs.

Treasurer to give bond.

Officers to continue until election.

SECTION 4. That the court of common pleas of Luzerne county be invested with jurisdiction to hear and determine, either by suit at law, as in other cases, by case stated, or by the direction of an issue, all disputes and difficulties between the proprietors of the borough of Pittston and the proprietors of the township of Pittston, in relation to the division and disposition of the fund in the hands of the proprietors of the Pittston township, and thereupon to give judgment as shall be just: *Provided*, That either party shall be permitted to take a writ of error to the supreme court, in the same manner as in other cases of judgment upon verdict: *And provided*, That the costs shall abide the events in all such suits or proceedings.

SECTION 5. That the treasurer elected in pursuance of this act, before entering upon the duties of his office, shall give bond to the trustees aforesaid, with one or more good and sufficient sureties, in the penal sum of three thousand dollars, conditioned for the accounting for and paying over to his successor in office, all moneys coming into his hands as treasurer of the said trustees.

SECTION 6. That until the election of officers under the provisions of this act, Charles R. Gorman, Charles Law and Benjamin D. Beyea shall be the trustees, James Brown the treasurer, and A. C. Thompson the secretary, who shall be authorized to do and perform every act, and to bring and prosecute suits at law, in the same manner and form as the trustees, treasurer and secretary, when elected under the provisions of this act, can and may do.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 708.

## AN ACT

To change the name of Jones township, in Elk county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the name of Jones township, in the county of Elk, be and is*

hereby changed to that of Kane, by which latter name it shall be hereafter known and recognized.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 709.

## A N A C T

To incorporate the Somerset Iron and Coal Company of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward H. Stabler, John S. M'Kim, Edward C. Thomas, Ira C. Canfield, George H. Berry and Nicholas L. Wood, and their associates, successors and assigns, be and they are hereby constituted a body corporate and politic, by the name, style and title of the Somerset iron and coal company of Pennsylvania, *Name.* for the purpose of making iron, mining of ores and coal, and transporting and selling the same, and for the transaction of the usual business of companies engaged in the making of iron, *Objects.* mining of ores and coal, and transporting to market and selling of iron and coal, and the other products of iron ore and coal mines; and the said corporation, by the said name, is hereby declared and made capable in law to sue and be sued, to plead and be impleaded, to have a common seal, and the same to alter *Seal.* and renew at pleasure, to make rules and by-laws for the regulation and management of the said corporation, consistent with the laws of the United States and of this commonwealth, and generally to do and execute, for the well being of said company, whatever shall lawfully pertain to such bodies politic: *Provided* That nothing herein contained shall be considered as in any *Proviso.* way giving to said company any banking privileges, but they shall be exclusively confined to the operations pertaining to the business aforesaid, according to the true intent and meaning of this act.

SECTION 2. That the said company shall have the right to hold, either by purchase or lease, not exceeding three thousand acres of land at any one time, exclusive of the quantity of land which may be used as the bed or beds of any roads upon the land of said corporation, the whole to be within the county of *May purchase or lease lands.*



- Somerset, in the commonwealth of Pennsylvania, and the same, or any part thereof, to sell or otherwise dispose of as the interest of the company may require: *Provided*, That the said company may hold as above, such lot or lots of land, not exceeding five acres in any one place, as may be found convenient as places of deposit in the transportation and sale of the products of their mines.
- Proviso.** SECTION 3. That the capital stock of said company shall be and consist of five hundred thousand dollars, and shall be divided into twenty-five thousand shares of twenty dollars each, which capital stock shall only be employed in the purchasing and holding the lands aforesaid, with the improvements thereon, and in constructing such other improvements, building cars, boats, engines and machinery, as may be necessary or useful for the purposes set forth in section one of this act, and in the payment of such salaries, wages and other expenditures as shall be requisite for the purpose aforesaid of the company, and the said stock shall be assignable and transferable according to such rules as the board of directors shall establish.
- Capital, how to be employed, &c.** SECTION 4. That when the above named Edward H. Stabler, John S. M'Kim, Edward C. Thomas, Ira C. Canfield, George H. Berry and Nicholas L. Wood, and their associates, shall have subscribed the whole number of shares aforesaid, and actually paid and expended not less than fifteen per cent. of the capital aforesaid, in purchasing lands and in such other investments as are authorized by this act, for the use of said company, the governor, on due evidence thereof, shall, by letters patent, under his hand and the seal of the state, create and erect the said Edward H. Stabler, John S. M'Kim, Edward C. Thomas, Ira C. Canfield, George H. Berry and Nicholas L. Wood, their associates, successors and assigns, into one body corporate, by the name, style and title of the Somerset iron and coal company of Pennsylvania.
- Transferable.** SECTION 5. That the affairs of said company shall be managed by seven directors, to be chosen annually from the stockholders. The first election shall be held in the town of Wellersburg, county of Somerset, within sixty days after letters patent aforesaid shall have been issued, of which election public notice shall be given by four or more of the corporators named in the first section of this act, at least two weeks prior thereto, in one or more newspapers printed in the county of Somerset, one newspaper printed in the city of Philadelphia, and one newspaper printed in the city of Baltimore; and the subsequent elections shall be held annually, at such convenient time and place as the directors shall determine, of which thirty days previous notice shall, in like manner, be given by the president of said company, or by any of the directors: *Provided*, That in the event of a failure to hold such election, the former directors may continue in office until such election shall be held.
- When letters patent may issue.**
- Management.**
- Election of directors.**
- Notice of.**
- Proviso.**
- Votes.** SECTION 6. That the election for directors shall be held by ballot, and each stockholder shall be entitled to vote according to the number of shares held by said stockholder, in the proportion following, that is to say: For each share, and not exceeding four shares, one vote; for every two shares above four, and not exceeding ten, one vote; for every four shares above

n, and not exceeding thirty, one vote; for every ten shares above thirty, and not exceeding one hundred, one vote; for every twenty shares above one hundred, one vote. No share shall confer a right of voting which shall not have been transferred at least three calendar months prior to the day of election, nor unless it be *bona fide* held or owned by the person in whose name it appears, in his own right or in that of his wife, for his or her sole use and benefit, or as executor or administrator, trustee or guardian, or in the right or for the use and benefit of some co-partnership, society or corporation of which he or she may be a member; and all votes by proxy shall be on such terms and conditions as are prescribed by the act passed on the twenty-eighth day of March, one thousand eight hundred and twenty, entitled "An Act to regulate proxies."

Transfers, relative to.

Proxies.

SECTION 7. That the directors shall, as soon as convenient after their election, choose one of their number as president, or one year; they shall also have power to appoint, as occasion may require, all other officers and agents of the company, and to supply vacancies in the board arising from death, resignation or otherwise, until the next annual election. At all meetings of the board, four directors shall form a quorum to transact business.

Officers and agents.

Vacancies.

Quorum.

SECTION 8. That the directors may, from time to time, call in thirty days notice thereof in at least one newspaper printed in the county of Somerset, one newspaper printed in the city of Philadelphia, and one newspaper printed in the city of Baltimore, as aforesaid, such instalments on the stock of such company as they may judge best, not exceeding twenty per centum hereof, at any one time and place appointed; and if any instalment of the stock so called in shall remain unpaid for the space of thirty days after the time so appointed, every such stockholder, or his or her assignee, shall, in addition to the instalment so called for, pay at the rate of two per centum per month for the delay of such payment; and if the same, and additional penalty, shall remain unpaid for such space of time as that the accumulated penalty shall become equal to the sums before paid in part and on account of such shares, the same shall be forfeited to the said company, and may be sold to any person or persons willing to purchase, for such prices as can be obtained for the same; or in default of payment, by any stockholder, of any such instalment as aforesaid, the president and directors may, at their election, cause suit to be brought before an alderman or justice of the peace, or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid; and no stockholder, whether an original subscriber or assignee, shall be entitled to vote at any election, or at any general or special meeting of the said company, on whose share or shares any instalments or arrearages may be due and payable more than thirty days previously to the said election or meeting.

Directors may call instalments upon thirty days notice.

Limitation of.

Penalties for non-payment.

SECTION 9. That any legal process served on any agent or manager of said company, is hereby declared to be, to all intents and purposes, as valid as the same would have been if served on the president and directors thereof.

Legal process may be served on agents or managers.

To continue in force.

Reservation.

Individual liability.

Bonus.

Taxes upon dividends.

SECTION 10. That this act shall continue and be in force until the first day of May, in the year of our Lord one thousand eight hundred and eighty-five: *Provided*, That it shall be lawful for the legislature, at any time, to amend or repeal any of the foregoing provisions, and to rescind the powers hereby granted; in such manner, however, that no injury may be done to the corporators.

SECTION 11. That the stockholders of said company shall be jointly and severally liable, in their individual capacities, for all debts due mechanics, workmen and laborers employed by, and materials furnished to, said company, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved the fifth of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 12. That the said company shall pay a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof; and said corporation shall also pay such taxes upon dividends as are or may be provided by law.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the Somerset iron and coal company of Pennsylvania," passed the House of Representatives on the nineteenth day of March, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned by the governor with his objections to the Senate, in which it originated, was agreed to by two-thirds of the House of Representatives on the twenty-fourth day of March, A. D. one thousand eight hundred and sixty, and that the foregoing is the said act so agreed to by the said House.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

Attest:—E. H. RAUCH,  
*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act to incorporate the Somerset iron and coal company of Pennsylvania," passed the Senate on the eighth day of March, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was agreed to by two-thirds of the Senate, agreeably to the constitution, on the twenty-third day of March, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the Senate.

WM. M. FRANCIS,  
*Speaker of the Senate.*

Attest:—RUSSELL ERRETT,  
*Clerk of the Senate.*

No. 710.

## AN ACT

Supplementary to an act to incorporate the Allen and East Pennsborough Mutual Fire Insurance Company, of Cumberland county, approved the third day of April, one thousand eight hundred and forty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to incorporate the Allen and East Pennsborough mutual fire insurance company of Cumberland county," approved the the third day of April, one thousand eight hundred and forty-three, together with all the acts supplementary thereto and connected with the same, be and the same are hereby extended for the period of twenty years from the third day of April, one thousand eight hundred and sixty-three. Act of incorporation renewed.

SECTION 2. That in addition to the remedies heretofore provided, it shall be lawful for the said company, in their corporate name, to sue for and recover, before any justice of the peace of the county in which the party insured shall reside, on any assessment made, or to be made, on premium notes held by said company, in like manner as other debts are now by law recoverable before justices of the peace; and further, to declare the insurance of any member of said company forfeited, in case payment be not made within thirty days after publication of such assessment and demand: *Provided however,* That before any justice of the peace shall take cognizance of such claim, said company shall file in the office of said justice a statement, attested by its secretary, showing the date of the assessment, the name of the party insured, and the number of the policy or premium note on which such assessment is due, and that the same has been demanded at least ten days before suit is brought. Authorized to sue, before justice, for assessments on premium notes.  
Members forfeit insurance if payment be not made within thirty days.

SECTION 3. That all acts, original or supplementary to the aforesaid company, inconsistent with the foregoing, are hereby repealed. Proviso.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 711.

## SUPPLEMENT

To an act to incorporate the Red Bank Navigation Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever any person or persons shall, without the authority of the company, build or place in the Red Bank, Sandy Lick or North Fork creek, any dam or other obstruction whatsoever, and the dam or other obstruction shall be abated or removed by the said company, all costs, charges and expenses incurred by the said company in the said abatement or removal, may be recovered by said company from the person or persons who shall build or place said dam or other obstruction in said creek, or who shall assist, aid, authorize or abet the same, in any manner, or from any or all such persons, jointly or severally, by an action of assumpsit, as debts of like amount are now recoverable by law.

Obstructions in certain creeks, relative to.

Company may recover cost of removal or abatement from persons building or placing the same

May make by-laws and enforce them by fines.

proviso.

Certain section of act of incorporation amended.

**SECTION 2.** That the said company shall have power to pass such by-laws as may be necessary for the government of said company and the safe navigation of said stream, and to enforce them by such fines as they may deem necessary, not exceeding one hundred dollars for each offence, to be collected in the same manner as directed in section eighth of the act to which this is a supplement: *Provided*, That said by-laws do not conflict with the laws or the constitution of this commonwealth, or with the constitution of the United States.

**SECTION 3.** That the following clause in the eighth section of the act to which this is a supplement, to wit: "And any person who shall wilfully close said channel, or shall disobey the directions of said director, and thereby, in any manner, directly close said channel," et cetera, shall hereafter be taken and read as follows, to wit: "And any person who shall wilfully close said channel, or shall disobey the directions of said director, and thereby, directly or indirectly, close said channel."

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 712.

## A N A C T

To incorporate the Dimes Savings Institution of Lewisburg.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hugh P. Sheller, Jonathan Wolfe, A. J. Werdensell, C. D. Cox, John Goodman, George F. Miller, Samuel Roush, John Grosgeor, George Merrill, Samuel S. Bolton, Thomas Reber, R. S. Hetzel, James Scott, Jacob Hummell, Reuben Brown, Charles Penney, Abraham Meunch, Aaron Wetzel, James Hayes, William T. Ritemeyer, John Miller, Reuben Snyder, Alexander Ammens, Charles C. Sherckley, Michael Fitchorn, John H. Beale, Augustus Stoughton, Thomas Hayes, Levi Sterner, Franklin Spyker, A. M. Lawshe, John Hartz, James Murty, Ephraim J. Hull, George Reed, John H. Brown, Jacob Brown, F. A. Douichy, Martin Dreisbach, William Longbay, John Nyhart and Joseph Reed, and their successors, be and they are hereby made and created a corporation and body politic, by the name and style of the Dimes saving institution of Lewisburg, and by that name shall have perpetual succession, and by law be capable to hold and dispose of property, to sue and be sued, and plead and be impleaded, answer and defend in courts of law and equity, or in any other place whatsoever, and to make, have and use a common seal, and the same to alter and renew at pleasure, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and promote the object and design of this act of incorporation; to be located in the borough of Lewisburg, and county of Union: *Provided*, That a misnomer of the said corporation in any instrument shall not vitiate the same, if the intent of the parties can be clearly ascertained: *And provided further*, That nothing in this act contained shall be so construed as to confer upon the said corporation banking privileges, or so as to exempt the same from the operation of the laws of this commonwealth prohibiting the issuing of bank notes.

**SECTION 2.** That the business of the said corporation shall be to receive on deposit, from time to time, such sums of money, not less than ten cents, as may be offered by tradesmen, clerks, mechanics, laborers, servants, minors, married women, and others, and to invest the same in the stocks of this commonwealth or of the United States, or in any stocks and bonds of city, borough or town, authorized to be issued by any act of the legislature of this commonwealth, or in other stocks, or in bonds and mortgages, and other approved and valid securities. The said corporation shall receive all sums of current money that may be offered as aforesaid, and shall invest the same in the manner aforesaid, as soon as practicable; they shall allow the depositors interest upon the deposits, to be regulated by

	the trustees as hereinafter provided, and they shall pay the amounts deposited, with the interest thereon, or any part thereof, not less than ten cents, to the depositors, at the place of business of the said corporation, at any time during business hours on demand: <i>Provided however</i> , That not more than twenty-five dollars shall be required to be paid to any one depositor upon any one day, unless a written notice of the sum intended to be drawn or demanded shall have been given at least thirty judicial days before the time when such payment is desired to be made.
<b>Proviso.</b>	
<b>Notice to be given by depositors.</b>	
<b>What real estate may be held by corporation.</b>	SECTION 3. That the real estate which it shall be lawful for the said corporation to hold, shall be only such as is requisite for the accommodation and convenient transaction of the business, and such as they may find necessary to purchase, either at judicial sales or otherwise, to secure debts due to them.
<b>Trustees, election of.</b>	SECTION 4. That the persons named in the first section of this act, or any nine of them, shall elect, by ballot, nine persons, either from among those named in this bill or others, to be the first trustees of the said corporation; no person to be considered elected, unless he shall have received the affirmative vote of at least five of the said corporators; that vacancies, by death, resignation or otherwise, shall be filled by the board of trustees, as soon as practicable, by an affirmative vote of at least five of their number, at any election held by ballot; that the said trustees shall select from among themselves a president and vice president, and shall appoint such other officers as they may deem necessary; that six of the said trustees shall form a quorum, and that the affirmative vote of at least five shall be requisite to authorize the sale or transfer of securities, or the appointment of any officer receiving compensation; that the president, vice president or any trustee, or any officer or servant of the said corporation, shall not, directly or indirectly, borrow the funds of the said corporation, nor any part thereof, nor use the same, nor any part thereof, in any other manner than that hereinbefore provided, except for the payment of the necessary expenses, under the direction of the board of trustees; that the said trustees shall meet, regularly, at least once a month, and that any trustee omitting to attend the said regular meetings, for three successive months, may, by a vote of the board, be declared to have vacated his office; that the said trustees shall have power to enact by-laws, not contrary to the constitution of the United States, the constitution of this commonwealth, or to the provisions of this act, and to alter the same, from time to time, as they may deem expedient.
<b>Vacancies.</b>	
<b>Officers.</b>	
<b>Quorum.</b>	
<b>Number of votes necessary for transfer of securities or appointments.</b>	
<b>Trustees or officers not to borrow or use funds except as herein provided.</b>	
<b>Meetings of trustees.</b>	
<b>By-laws.</b>	
<b>Rates of interest to be regulated and published.</b>	SECTION 5. That the aforesaid trustees shall regulate the rate of interest upon the deposits, and publish the same annually; that interest shall not be allowed to any depositor until his deposit amounts to two dollars, the interest to be calculated by calendar months only, and no interest to be allowed for the fraction of a month; that deposits made by minors or married women, or servants, may be re-paid to them, and their receipts shall discharge the said corporation from any further claims for the sums so re paid.
<b>How calculated.</b>	
<b>Deposits made by minors, &amp;c.</b>	

SECTION 6. That for the security of the depositors of the said institution, it shall be the duty of the persons named in the first section, and such others as may become members of the institution previous to the granting letters of incorporation, to raise and form a capital of not less than three, nor more than thirty thousand dollars, in shares of ten dollars each; which capital shall, at all times, be liable to the depositors for the amount of their deposits, and the interest accruing thereon; the shares to be transferable, on the books of the institution, in such manner as may be designated by the by-laws of said institution.

Capital to be formed for security of deposits.

Shares transferable.

SECTION 7. That it shall be the duty of the trustees aforesaid, in the month of January in each year, to report to the legislature the aggregate amount of deposits on hand, with the interest which has accrued thereon, and, as often as they may deem proper, make and declare a dividend of the interests and profits of said corporation, after paying its expenses and reserving a fund for contingencies, and the same pay over to the shareholders, or their legal representatives, within ten days hereafter, and to make a full exhibit of the affairs of said institution, according to the acts of the general assembly in such case made and provided.

Trustees to make report to legislature.

Dividends.

Exhibit of affairs

SECTION 8. That the officers and agents of the said corporation shall give such security for their fidelity and good conduct as the board of trustees may require; that in all cases of loans upon real estate, the expenses of searches, examinations and certificates, and recording papers, shall be paid by the borrower; that the books of the said corporation shall, at all times during business hours, be open for the inspection and examination of such person or persons as the legislature shall designate or appoint as agents for that purpose; that the said corporation shall be subject to the supervision and control of the court of common pleas of the county of Union, and the supreme court of Pennsylvania, according to the provisions of the constitution of this commonwealth, and the several acts of assembly concerning equity jurisdiction upon the said courts.

Officers and agents to give security.

Expenses of examinations, certificates, &c., to be paid by borrower.

Books to be open for inspection, &c.

Subject to.

SECTION 9. That each and every person, upon entering upon the discharge of the duties of trustee, in pursuance of this act, shall be required to execute a bond to the commonwealth of Pennsylvania, in such amount as the court of common pleas of Union county shall fix, to be filed with the prothonotary of said court, and conditioned for the faithful keeping and appropriation of all such sums of money as shall be placed in charge of said Dimes saving institution, whether as deposits or shares of stock: *Provided*, That said court of common pleas may, at any time, require the amount of security of said bond to be enlarged.

Trustees to give bond.

Amount to be fixed by court and bond filed.

Proviso.

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 713.

## AN ACT

To incorporate the Dimes Saving Institution of Allentown, in Lehigh county.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> Jacob Muschlitz, Henry B. Hottle, William H. Ainey, E. Moser, W. W. Hamersly, W. J. Romig, W. H. Newhard, William H. Seip, Samuel M'Hose, C. S. Massey, S. P. Bliss and Abraham Keiper, and their successors, be and they are hereby made and created a corporation and body politic, by the name and style of the Dimes saving institution of Allentown, and by that name shall have perpetual succession, and by law be capable to hold and dispose of property, to sue and be sued, plead and be impleaded, answer and defend in courts of law or equity, or in any other place whatsoever; and to make, have and use a common seal, and the same to alter and renew at pleasure, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and promote the object and design of this act of incorporation; to be located in the borough of Allentown, and county of Lehigh: <i>Provided</i> , That a misnomer of the said corporation in any instrument shall not vitiate the same, if the intent of the parties can be clearly ascertained:
Style.	
Powers.	
Seal.	
Misnomer.	
Proviso.	<i>And provided further</i> , That nothing in this act contained shall be so construed as to confer upon the said corporation banking privileges, or so as to exempt the same from the operation of the laws of this commonwealth prohibiting the issuing of bank notes or engagements of credit in the nature thereof.
Business.	SECTION 2. That the business of the said corporation shall be to receive on deposit, from time to time, such sums of money, not less than ten cents, as may be offered by tradesmen, clerks, mechanics, laborers, servants, minors, married women and others, and to invest the same in the stocks of this commonwealth or of the United States, or in stocks and bonds of any city, authorised to be issued by any act of the legislature of this commonwealth, or in other stocks, or in bonds and mortgages, and other approved and valid securities; the said corporation shall receive all sums of current money that may be offered as aforesaid, and shall invest the same in the manner aforesaid as soon as practicable; they shall allow to the depositors interest upon the deposits, to be regulated by the trustees as hereinafter provided; and they shall pay the amounts deposited, with the interest thereon, or any part thereof, not less than ten cents, to the depositors, at the place of business of the said corporation, at any time during business hours, on demand: <i>Provided however</i> , That not more than twenty-five dollars shall be required to be paid to any one depositor, upon any one day, unless a written notice of the sum intended to be demanded, shall have been
Deposits.	
Investments.	
Interest.	
Proviso.	
Notice to be given by depositors.	

given at least ten judicial days before the time when such payment is desired to be made.

SECTION 3. That the real estate which it shall be lawful for the said corporation to hold, shall be only such as is requisite for the accommodation and convenient transaction of their business, and such as they may find necessary to purchase, either at judicial sales or otherwise, to secure debts due to them.

What real estate may be held by corporation.

SECTION 4. That the persons named in the first section of this act, or any nine of them, shall elect by ballot, nine persons, either from among those named in this bill, or others, to be the first trustees of the said corporation; no person to be considered elected unless he shall have received the affirmative vote of at least five of the said corporators; that vacancies, by death, resignation, or otherwise, shall be filled by the board of trustees, as soon as practicable, by an affirmative vote of at least five of their number, at any election held by ballot; that the said trustees shall elect from among themselves a president and vice president, and shall appoint such other officers as they may deem necessary; that six of the said trustees shall form a quorum, and that the affirmative vote of at least five, shall be requisite to authorize the sale or transfer of securities, or the appointment of any officer receiving compensation; that the president, vice president, or any trustee, or any officer or servant of the said corporation, shall not directly or indirectly borrow the funds of the said corporation, nor any part thereof, nor use the same, nor any part thereof, in any other manner than that hereinbefore provided, except for the payment of the necessary expenses, under the direction of the board of trustees; that the said trustees shall meet regularly at least once a month; and that any trustee omitting to attend the said regular meetings for six successive months, may, by a vote of the board, be declared to have vacated his office; that the said trustees shall have power to enact by-laws.

Election of trustees.

Vacancies.

Officers.

Quorum.

Five votes necessary for transfer of securities or appointments.

Trustees or officers not to borrow or use funds, except as heretofore provided.

Meetings of trustees.

By-laws.

SECTION 5. That the trustees shall regulate the rate of interest upon the deposits, and publish the same annually; that interest shall not be allowed to any depositor until his deposit amounts to two dollars; the interest to be calculated by calendar months only, and no interest to be allowed for the fraction of a month; that deposits made by minors or married women, may be repaid to them, and their receipts shall discharge the said corporation from any further claims for the sums so repaid.

Rate of interest to be regulated and published.

How calculated.

Deposits made by minors, &c.

SECTION 6. That for the security of the depositors of the said institution, it shall be the duty of the persons named in the first section, and such others as may become members of the institution previous to the granting letters of incorporation, to raise and form a capital of not less than five, nor more than fifty thousand dollars, in shares of twenty dollars each; which capital shall at all times be liable to the depositors, for the amount of their deposits and the interest accruing thereon; the shares to be transferable on the books of the institution, in such manner as may be designated by the by-laws of said institution.

Capital to be formed for security of depositors.

Shares transferable.

SECTION 7. That it shall be the duty of the trustees, in the month of January in each year, to report to the legislature the aggregate amount of deposits on hand, with the interest which has accrued thereon, and as often as they may deem proper,

Trustees to make report to legislature.

Dividends.	make and declare a dividend of the interests and profits of said corporation, after paying its expenses and reserving a fund for contingencies, and the same pay over to the shareholders or their legal representatives, within ten days thereafter, and to
Exhibit of affairs	make a full exhibit of the affairs of said institution, according to the acts of the general assembly in such case made and provided.
Officers and agents to give security.	SECTION 8. That the officers and agents of the said corporation shall give such security for their fidelity and good conduct, as the board of trustees may require; that in all cases of loans upon real estate, the expenses of searches, examinations and certificates, and recording papers, shall be paid by the borrower; that the books of the said corporation shall at all times, during business hours, be open for the inspection and examination of such person or persons as the legislature shall designate or appoint as agents for that purpose; that the said corporation shall be subject to the supervision and control of the court of common pleas of the county of Lehigh and the supreme court of Pennsylvania, according to the provisions of the constitution of this commonwealth, and the several acts of assembly conferring equity jurisdiction upon the said courts.
Expenses of certificates, recording papers, &c., to be paid by borrower.	
Books to be open for inspection.	
Subject to supervision, &c.	
Trustees to give bond.	SECTION 9. That each and every person upon entering upon the discharge of the duties of trustee, in pursuance of this act, shall be required to execute a bond to the commonwealth of Pennsylvania, in such amount as the court of common pleas of Lehigh county shall fix, to be filed with the prothonotary of said court, and conditioned for the faithful keeping and appropriation of all such sums of money as shall be placed in charge of said Dimes saving institution, whether as deposits or shares of stock: <i>Provided</i> , That said court of common pleas may, at any time, require the amount executed of said bond to be enlarged.
Amount fixed by court and bond filed.	
Proviso.	

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 714.

## AN ACT

To incorporate the Harrisburg Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

David Mumma, junior, William Colder, junior, J. J. Clyde, A. O. Heister, Isaac Mumma, Jacob D. Hoffman, Jacob Ziegler, John J. Shoemaker, Alexander Koser, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Harrisburg market company, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal, and the same to alter and renew at pleasure, and to have and to hold, receive, enjoy and take, in fee simple or upon ground rent, such real or also such personal estate as may by them be deemed necessary and proper for the ownership, and for the construction, and for the proper use and management and maintenance of one or more market houses in the borough of Harrisburg, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with full power to sell, mortgage, create the necessary ground rent deeds, or convey the said real or personal estate.

Style.  
Seal.  
Powers.  
Authorized to construct market house.

SECTION 2. That the object and purpose of said corporation shall be to erect and maintain suitable building or buildings, and stalls, with all other things necessary for the use thereof, at any place within the limits of the borough of Harrisburg, the same to be appropriated and used as a public market house or houses, for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions whatever, and such other articles as the board of managers may deem proper in the said market building or buildings; the stalls, or any one or more, or all of the same, to be leased, rented or disposed of in such manner, and upon such terms and conditions, as the managers shall determine.

Object and privileges.

SECTION 3. That the capital stock of said corporation shall not exceed one hundred thousand dollars, divided into two thousand shares of fifty dollars each, and shall be in such form, and be issued and transferred in accordance with such by-laws as the said managers may establish.

Capital stock.

How issued and transferred.

SECTION 4. That the government and control of the Harrisburg market company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by, a board of nine managers, who shall be elected, by ballot, from among the stockholders; they shall continue in office until their successors be elected; they shall elect a president, secretary and treasurer, from among themselves, shall supply all vacancies in their number, however occasioned, and shall have general and entire control of the affairs and interests of the company, and that until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such.

Board of managers, their duties and powers.

Officers.  
Vacancies.

Present managers.

SECTION 5. That a general meeting of stockholders shall be held annually, on the second Monday of January, for the election of nine managers and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not, for that cause, be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice of such meeting being first given

Annual meeting of stockholders.

Notice to be given. in one weekly newspaper published in the borough of Harrisburg; and special meetings of the corporation shall be called and held as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers and the decision of all questions, and at all the meetings of the corporation, the stockholders present, either in person or by proxy, shall severally be entitled to one vote for each share of stock held by them: *Provided*, That the privileges of this act shall not extend beyond the period of thirty years, unless otherwise granted by the legislature of this commonwealth.

Votes.

Limitation.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 715.

## AN ACT

To incorporate the Old Guard of the city of Philadelphia.

Corporators.

Name.

Seal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Peter C. Ellmaker, J. D. Keyser, Joseph Mort, Jacob Loudenslager, William W. Wagner, J. William Hoffman, Benjamin Ripperger, William H. Kern, Jacob Bennett, Thomas P. Parry, George W. Wood, Alexander Murphy, C. Ross Smith, Andrew M. Martin, Thomas Kirkpatrick, William Troth, James G. Hardie, Charles P. Warner, George P. M'Reding, William H. Yeaton, George L. Senat, Thomas L. Tripler, John G. Murphy, M. D., and their associates, who are now members of the Old Guard, a charitable association auxiliary to the Artillery Corps of Washington Grays, of the city of Philadelphia, and all others who shall hereafter become members of the same, shall be and are hereby erected and declared to be a body politic and corporate, by the name, style and title of the Old Guard of the city of Philadelphia, and by the same shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record and elsewhere; and the said association shall and may make and have a common seal, and the same to change, alter and renew at pleasure; and, also, to obtain, establish and put in execution such by-laws, rules and

regulations as may be necessary and proper for the government By-laws. of the corporation, not being inconsistent with this charter, or the constitution and laws of the United States or of this commonwealth, and elect or choose such officers as may be necessary, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering the affairs thereof.

SECTION 2. That the said corporation is hereby authorized to purchase, lease, receive, either by gift or otherwise, erect, have, hold and enjoy, to them and their successors, such lands or tenements, building or buildings, as may be necessary for the purposes of an armory, and other proper and needful ones connected with the affairs thereof, with the necessary and convenient furniture, fixtures and appliances, with the right, from time to time, to lease, grant, bargain, sell, alien or dispose of, any part or parts, or the whole thereof, either absolutely, with a reservation of rent, or upon mortgage: *Provided*, That the clear yearly income of the said corporation, exclusive of donations, gifts or dues, shall not exceed the sum of three thousand dollars.

Authorized to purchase or lease lands, buildings, &c.

Powers and privileges.

Provido.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 716.

## AN ACT

To incorporate the Sullivan County Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Francis Jordan, Thomas J. Wolf, and Samuel H. Bibighaus, of the city of Philadelphia, and George D. Jackson, Michael Meylert, Doctor Josiah Jackson and B. Rush Jackson, of the county of Sullivan, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Sullivan County coal company, and that they be invested with all the privileges, and subject to the restrictions of the act incorporating the North-Western coal and iron company, approved April nineteenth, one thousand eight hundred and fifty-six, and the various supplements thereto:

*Provided*, That said company shall not be entitled to any manufacturing privileges, and shall not hold, at any one time, over one thousand acres of land in fee, which land shall lie in said county of Sullivan; and the capital stock of said company shall not exceed ten thousand shares, of fifty dollars each.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the Sullivan County coal company," passed the House of Representatives on the thirtieth day of January, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned by the governor with his objections to the House of Representatives, in which it originated, was agreed to by two-thirds of the House of Representatives, on the twenty-fourth day of March, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the said House.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

Attest:—E. H. RAUCH,  
*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act to incorporate the Sullivan County coal company," passed the Senate on the tenth day of February, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned with his objections to the House of Representatives, in which it originated, was agreed to by two-thirds of the Senate, agreeably to the constitution, on the twenty-sixth day of March, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the Senate.

WM. M. FRANCIS,  
*Speaker of the Senate.*

Attest:—RUSSELL ERRETT,  
*Clerk of the Senate.*

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No. 717.

## AN ACT

To incorporate the Robert Morris Market and Hall Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

James W. Fletcher, Daniel Thomas, John M'Carthy, Robert E. Shultz, Horatio B. Pennock, Andrew D. Caldwell, William Loughlin, James A. Campbell, Thomas Moran, John Farrell, John S. Sharkey and William H. Kern, and their associates, and all persons who may be holders of the stock hereinafter mentioned, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Robert Morris hall and market company, and by that name shall have power to purchase and hold, in fee simple or for any less estate, sufficient lots of ground, situate on the north side of Catherine street and east side of Eighth street, in the Third ward of the city of Philadelphia, and such personal property, as by them may be considered necessary and proper for the ownership, construction, maintenance and management of a market house thereon, for the accommodation and use of persons who may be desirous of renting and occupying the same, and also such rooms as they may deem necessary for the accommodation of public or other meetings, with full power to sell, mortgage or create the necessary ground rent deeds, or convey the said real and personal property.

Corporators.

Style.

Powers and privileges.

SECTION 2. That the object of said incorporation shall be to erect and maintain, upon the said premises, a suitable building or buildings, and stalls, with all other things necessary for the use thereof; the ground floor of the same to be appropriated and used as a public market house, for the sale of meats, vegetables and provisions; the said market building, the rooms, the stalls, cellars, all or any of them, to be leased, rented and disposed of in such manner and upon such terms as the managers shall determine: *Provided*, That farmers, wherever residing, shall have the same rights, privileges and immunities, in regard to renting and occupying any part of said market, as may be granted or allowed to any citizen of Philadelphia.

Object.

Buildings, how to be used.

Providio.

SECTION 3. The capital stock of said corporation shall not exceed one hundred thousand dollars, which shall be divided into shares of not less than fifty dollars par value each; and the managers shall have power to borrow any sum not exceeding seventy-five thousand dollars, upon bonds or other evidence of indebtedness, such sum or sums of money, at the best rates upon which the same can be obtained, as may be necessary for carrying out the purposes of this act.

Capital.

Managers may borrow money upon bonds, &amp;c.

SECTION 4. That the government, control and management of said company shall be vested in, and exercised by a board of managers, the number of whom, their duties and time and manner of election, shall be fixed by the by-laws; they shall continue in office until their successors are elected; they shall elect a president, secretary and treasurer, from among themselves; shall supply all vacancies in their number, until the board of managers shall be elected; the persons named in the first section of this act shall be the managers, and shall have the control and management of the affairs of the said company for one year, or until their successors are duly elected.

Managers, their number and duties.

Officers.

Vacancies.

Persons named in first section to be managers until election.

SECTION 5. That by-laws for the regulation of the company shall be enacted and passed by the corporators or managers, and shall provide for the annual election and other meetings of stockholders and managers, and for all other matters and things

By-laws.



Votes.

necessary for carrying on the business and affairs of the company, as therein provided for: *And provided*, That in all elections for officers, the stockholders shall be entitled to one vote for each share of stock held by them.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 718.

## AN ACT

To incorporate the Middletown Gas Light Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That George Smuller, George Christ, Joseph Brestel, Joseph Ross, Adolphus Fisher, Frederick Lauman, Henry Smith, E. S. Kendig, John S. Watson, James Young, Jacob Baner, Archibald Wieting, John Croll and J. J. Walborn, of the borough of Middletown, and G. S. Kemble, Abraham Myers and Doctor Andrew Patterson, of Harrisburg, all of the county of Dauphin, or any five of them, are hereby appointed commissioners to organize a company, by the name, style and title of the Middletown gas light company, to be located in the borough of Middletown, in the county of Dauphin, with a capital stock of fifteen thousand dollars, to be divided into shares of twenty-five dollars each, with the privilege of increasing said capital stock to any sum not exceeding thirty-thousand dollars, and to be organized under the provisions of an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 719.

## AN ACT

To incorporate the Attleborough Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Dorance, William Kinsey, William Bache, Caleb N. Taylor, E. G. Harrison, A. M. M'Ilvaine, Joseph Canby, J. G. Webster, John Ely, M. W. Allen, James Flowers, Joshua Richardson, J. Hughurst, Isaac Eyre, Cary Longshore, Mitchell Watson, Joseph Eastburn, Jesse Comfort, Aaron Winder, Joseph Comley, David Feaster, M. H. Jenks, Alfred Blaker, Jesse Heston, Thomas Quincy, Lewis Buckman, James Anderson, Lewis B. Scott, Silas Cary, John Barnsley, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Attleborough railroad company, with all the powers and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine. Commissioners.  
Style.  
Subject to.

SECTION 2. That the capital stock of said company shall consist of three thousand shares of fifty dollars each: *Provided,* That said company may, from time to time, by a vote of stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road and to carry out the true intent and meaning of this act. Capital stock.  
May increase the same.

SECTION 3. That said company shall have the right to build and construct a railroad, beginning at or near the village of Attleborough, in the county of Bucks, and thence extending by such practicable routes, and in such manner as to connect with any point on the Delaware river, and any railroads within said county of Bucks or city of Philadelphia; also the privilege of extending said road from Attleborough to Newtown, in Bucks county; which said road shall be completed with one track, within ten years from the passage of this act. Authorized to construct road.  
Route.  
Extension authorized.  
When to be completed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 720.

## A N A C T

To incorporate the Potter County Railroad Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> William Radde, Charles Bushor, Alexander Eydam, H. H. Dent, A. Jackson, Charles Hepp, Daniel F. Glassmire, Edward George, P. A. Stebbens, F. W. Knox, Henry Man, or any three of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style and title of the Potter County railroad company, with all the powers and subject to all the provisions and regulations prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same are not altered and supplied by the provisions of this act.
Style.	
Subject to.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of two thousand shares, at one hundred dollars each: <i>Provided</i> , That said company may, from time to time, by a vote of the stockholders, increase their capital stock so much as, in their opinion, may be necessary to complete said road, and to carry out the true intent and meaning of this act.
May increase capital.	
Railroad authorized.	SECTION 3. That said company shall have the privilege and right to build or construct a railroad from Germania, Potter county, to the Sunbury and Erie railroad, in the county of Clinton, as they may deem useful and necessary for the transportation of lumber and other products of said county, as well as passengers and general freight.
May receive, lease, mortgage and sell lands in certain counties.	SECTION 4. That for the purpose of aiding in the construction of this road, and in order to insure the speedy commencement and completion of the same, said Potter County railroad company is hereby authorized to receive, hold, lease, mortgage and sell such lands, situated in the counties of Potter, Tioga and Clinton, along and in the vicinity of said railroad, as may be donated or otherwise granted for that purpose, or which may be offered in fee simple, in payment of subscription to the stock of said company; and said company is hereby authorized to borrow any sum of money, not exceeding one hundred thousand dollars, at the rate of interest not exceeding seven per cent. per annum, on the bonds of the company, to be secured by mortgage on the whole or any part of their road, lands and franchises, and may sell or dispose of said bonds, on such terms and at such rates as may be agreed upon between the parties, and may at any time confer on the holders of the same the right to con-
Authorized to borrow money and secure by mortgage on road, lands, &c.	
Sale of bonds, relative to.	

vert the principal and interest thereof into the stock of said company.

JOHN M. THOMPSON,  
*Speaker of House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 721.

## A N A C T

To incorporate the Mifflin and Centre County Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* George W. Elder, F. G. Franciscus, John A. Wright, Dr. E. W. Commissioners. Hale, Alexander Reed, E. E. Locke, William Reed, Davis Bates, William A. M'Manigal, of Mifflin county, and William F. Reynolds, William Allison, Moses Thompson, George Boal, M. J. Milliken and Samuel T. Van Fries, of Centre county, be and they are hereby appointed commissioners to open the books, receive subscriptions, and to organize a company, by the name of the Mifflin and Centre County railroad company, with all the Name. powers and subject to all the provisions of an act, entitled "An Subject to. Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall be Capital stock. two hundred and fifty thousand dollars, and shall be divided into five thousand shares of fifty dollars each; and the said company are hereby authorized to borrow any sum of money not exceed- May borrow mo- ney and issue bonds therefor. with or without coupons attached; and the directors of said company shall have power to give such bonds such preference or security by mortgage, or otherwise, as they may deem advantageous: *Provided*, That no bonds shall be issued for a less sum Proviso. than one hundred dollars, and that such rate of interest, not exceeding seven per cent. per annum, as may be agreed upon, shall be lawful.

SECTION 3. That the said company shall have the right to Construction of railroad authorized. build and construct a single or double track railroad from a point at or near Lewistown, Mifflin county, to a point at or near Milesburg, in Centre county, by the nearest practical route, with the Route. right to connect with any railroad, now or hereafter to be built,

**May connect with other roads.** at either end or at any intermediate point, and with the right to construct branch or lateral roads not exceeding five miles in any instance.

**When road may be used.** SECTION 4. That whenever five miles or more of said road in any section or sections shall be completed, the said company may use and enjoy the same as fully and with the same powers and privileges as if the whole was completed.

**Authorized to equip road.** SECTION 5. That the said company are hereby authorized to equip the road with such engines, cars, carriages and other vehicles, and any machinery whatever, necessary or useful in doing business thereon.

**Reservation.** SECTION 6. That the legislature hereby reserves the right to alter, annul or amend this charter at any time; in such manner, however, as to do no injustice to the corporators.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 722.

## AN ACT

To incorporate the Wills Creek Boom Company, in Bedford county.

**Corporators.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Alsip, George G. Walker, William P. Schell, Cornelius Devore, John Wilhelm, Richard J. Haldeman, Francis M. Kimmel, Alexander H. Coffroth, Francis C. Reamer, John Neff, Henry Thomas Weld, Daniel Kohler, W. T. Daugherty, O. E. Shannon, John Miller, John D. Roddy, Isaac Hugus, William H. Koontz, Ross Forward, John M. Buchanan, and their associates and successors, be and are hereby constituted a body politic and corporate, by the name and style of the Wills Creek boom company, with a capital stock of ten thousand dollars, to be divided into shares of twenty-five dollars each, with the privilege of increasing the same to thirty thousand dollars; and by that name may sue and be sued, plead and be impleaded, in all the courts of record of Bedford and Somerset counties, or elsewhere, have a common seal, to be altered by them at pleasure, make by-laws, not repugnant to the laws of this state or of the United States, for the management of their corporate

**Style.**

**Capital.**

**Seal.**

**By-laws.**

concerns, and have and enjoy all the rights and powers of a corporation.

SECTION 2. That the said corporation are authorized and empowered to erect and maintain, at any point on Wills creek, in Bedford county, such boom or booms, with piers, as may be necessary for the purpose of stopping and securing logs, masts or spars, and other lumber floating upon said creek, and erect such piers, side branches or shore booms, as may be necessary for that purpose; and are further authorized and empowered to erect a dam or dams in said Wills creek, not exceeding five feet in height above low-water mark, with the privilege of constructing the necessary abutments and embankments on the banks of said creek, to secure the same: *Provided*, That said booms shall not be so constructed as to prevent the safe passage of rafts, boats, logs, masts, spars or other lumber, and not impede the navigation of said creek or the branches thereof.

Empowered to erect and maintain booms and dams on Wills creek, &c.

*Provided*.

SECTION 3. That if any person or persons shall suffer damage by the exercise of powers herein granted to said corporation, and the amount thereof cannot be agreed upon by the parties, nor some suitable person or persons agreed upon to estimate the same, the court of common pleas having jurisdiction in the county where the boom or booms are situated, shall, upon application of the parties aggrieved, cause said damages to be ascertained by three disinterested freeholders of the same county, to be appointed by the said court, and who shall make report to the said court on or before the first day of the term next after the award shall have been made, and which, being confirmed by the court, shall have the effect of a judgment from the time of such confirmation: *Provided however*, That if either party be dissatisfied with the award of said commissioners, and shall, at the time at which the said award is presented for confirmation, apply to said court for a trial, by jury, in the manner as other like cases are determined, the court shall, by jury, determine the amount of such damage accordingly; and if the verdict shall not be more favorable to the party applying for the jury than the award given by the commissioners, judgment for costs shall be rendered against the applicants; and if the verdict be more favorable to the party applying for a jury than was awarded by the commissioners, the applicants shall receive costs, and execution shall, in either case, issue upon the judgment; said corporation shall not take any private property, until compensation be made, or adequate security be given therefor, before such property shall be taken.

Damages.

Court to appoint commissioners to ascertain.

Report of, when confirmed, to have effect of judgment.

Parties dissatisfied may apply for trial by jury.

Applicants to pay costs if verdict not more favorable than award.

Execution to issue.

Private property not to be taken until security given.

Penalty for damage to dams or booms.

SECTION 4. That if any person or persons shall wilfully or maliciously injure or destroy any of such dam or dams, boom or booms, or piers, or other works connected therewith, he or they shall pay the amount of damages to the corporation, to be recovered by action of trespass, and further be liable to indictment and prosecution, before the court of quarter sessions, for a misdemeanor, and on conviction shall be sentenced to pay a fine for the use of the county, not exceeding five hundred dollars, and to suffer imprisonment in the county jail, not exceeding one year.

SECTION 5. That it shall be the duty of the corporation to raft all lumber in said booms securely and faithfully, with suitable

Duties of corporation and owners.

warps and wedges for rafting and securing the same below said boom ten days, if the number of logs belonging to any one man or company of men, does not exceed one hundred; if the number be over one hundred and does not exceed three hundred, five days; and if the owner, at the expiration of the time aforesaid, has not removed the same, the corporation may remove them to some safe and convenient place, and the owners thereof shall pay such expense as may arise in the removal and securing of the same; and should any person or persons suffer any loss, in consequence of the neglect or carelessness of the corporation, then the said corporation shall be accountable for such loss; the owner of the lumber shall drive it as near the main body of logs, or as near the place where they are to be rafted, as may be.

May charge tolls.

Rate.

Subject to.

To have a lien upon logs, &c., until expenses paid.

Proviso.

SECTION 6. That said corporation shall have the right to charge and collect toll or boomage upon the lumber thus boomed, rafted and secured, including warps and wedges by which they are rafted, to wit: Fifty cents per thousand feet board measure for board logs, and a reasonable sum for finding warp; rafting and booming all square timber, spars, clap-board bolts, and other lumber, in proportion to other board logs; and said tolls shall at all times be subject to the further regulation of the legislature; the corporation shall have a lien upon all logs or other lumber thus boomed, for the payment of all boomage and other expenses, until such times as the same shall be paid to the corporation: *Provided*, That in any case where spars, square or round timber may have been rafted to run to market, and such raft may have been staved or broken to pieces in any other way, and said logs should go into said boom by accident, or be taken in by the agents of said corporation, the said company shall deliver the same to the owner, on the production, by him, of reasonable evidence of his right thereto; for which they shall be entitled to twelve and one-half cents for every spar and log of square timber, and six cents for every log of round timber, to be paid by the person claiming the same.

Logs unclaimed and advertised for sixty days may be sold.

Owner to receive proceeds of sale, if claimed within two years and charges paid:

SECTION 7. That if any logs shall be boomed, rafted and secured as aforesaid, and no person should appear to claim the same and pay the tolls thereon, it shall be lawful for the corporation, after advertising the same sixty days, in the towns of Bedford and Cumberland, state of Maryland, with the marks thereon, if any there be, to dispose of the same to the best advantage, if no owner appear to claim the same; and the owners, at any time within two years from said sale, shall be entitled to receive the avails thereof, after deducting the tolls, expenses and necessary charges; but if not claimed within said two years, the proceeds shall be vested in the corporation for their own use.

May hold real estate adjacent to dams and booms, and build.

SECTION 8. That for the purposes aforesaid, the said corporation be and are hereby authorized and empowered to purchase, hold and possess any real estate adjacent to said dam or dams, boom or booms, or convenient thereto, not exceeding one hundred acres, with leave to build all such buildings as may be deemed necessary for the convenient management of the affairs of said corporation; and for the same purposes their agent and

those in their employ, are hereby empowered to use and occupy the lands on the shore of said creek, so far as may be necessary, at the place or places where said booms are erected, and at such other place or places as may be necessary for rafting and securing logs and other lumber, and to pass and re-pass on foot to and from said boom or booms, over the lands on both sides of said creek, for the purpose of erecting said boom, or making repairs from time to time, and generally for doing all matters and things necessary for the full accomplishment of the object of this corporation; subject, however, to pay such damages as may arise in the prosecution of such objects or purposes; the damages to be ascertained as in the third section of this act.

Use of shore authorized.

Additional privileges.

SECTION 9. That all logs rafted out of said booms, or any of the branches thereof, shall be counted or measured, and their quantity ascertained, by some competent person or persons, to be appointed by the court of common pleas of Bedford county, whose duty it shall be to keep an account of all such lumber as may be turned through said boom or booms, agreeably to the fifth and sixth sections of this act.

Measurer to be appointed by court.

Duties of.

SECTION 10. That the water power created by the erection of aforesaid dam or dams may be used by said company, with power to lease, grant, bargain, sell and convey the same: *Provided*, That the water thus used is returned to the channel of the river below said dam.

Water power may be leased, &c.

Proviso.

SECTION 11. That the legislature hereby reserves the right to alter or repeal this charter at any time; in such manner, however, that no injustice be done the corporators.

Reservation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 723.

## AN ACT

To change the name of William Augustus Clark Zerman to William Augustus Clark.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the name of William Augustus Clark Zerman, of Lawrence county, state of Pennsyl-*



vania, an adopted son of William D. Clark, be and is hereby changed to that of William Augustus Clark, and that the said William Augustus Clark Zerman shall be called by the name of William Augustus Clark, and by that name shall be able and capable in law to sue and be sued, grant, receive and take and inherit any estate, real or personal, and do all other legal acts as effectually, to all intents and purposes, as he could have done by his former name if no change had been made therein; and he is hereby invested with all the legal rights of a legitimate son and legal heir of the said William D. Clark.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 724.

## A N A C T

To incorporate the Philipsburg and Waterford Railroad Company.

**Commissioners.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Patton, George R. Barrett, L. J. Craus, John Thompson, John Carlisle, Reuben H. Moore and James T. Leonard, of Clearfield county; Jacob Kroh, John J. Y. Thompson, Uriah Matson, Thomas Reynolds and Mark Rogers, of Jefferson county; William Alexander, John Keatley, C. L. Lamberton, Samuel Wilson and James Campbell, of Clarion county; Arnold Plumer, J. S. Myers, Thomas Hoge, James Bleakley and James Hughes, of Venango county; J. R. Dick, H. L. Richmond, Edward Saeger, John M'Farland and Gaylord Church, of Crawford county, or any five of them, be and they are hereby appointed commissioners to open books, for the purpose of receiving subscriptions to the capital stock of the company hereinafter directed to be incorporated.

**Capital stock.** SECTION 2 That the capital stock of said company shall not exceed twenty thousand shares, at fifty dollars per share, with the privilege of increasing their capital stock to such amount as will enable them to construct and finish to the point referred to in this act.

**Rights and powers.** SECTION 3. That the Philipsburg and Waterford railroad company, hereby directed to be incorporated, shall be and is

hereby vested with all the rights and powers necessary for the construction of a railroad, with one or more tracks, beginning and connecting with the Tyrone and Clearfield railroad, at the most eligible point near or west of the town of Philipsburg; thence by way of Clearfield and Brookville, taking the shortest and most practicable route to the town of Waterford, and with privilege to intersect with any other railroad leading to Erie. Intersection authorized.

SECTION 4. That said company shall be entitled to all the rights and privileges, and be subject to all the restrictions and regulations provided for in the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, except that letters patent shall issue to said company when fifty shares of the capital stock shall have been subscribed. Subject to. When letters patent may issue.

SECTION 5. That the president, directors and company of the Philipsburg and Waterford railroad are hereby authorized and required to pay interest, at the rate of six per cent., on all subscriptions of stock actually paid in, until forty miles of said road are completed. Interest to be paid on subscription to stock.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 725.

## AN ACT

To incorporate the Port Clinton Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Boyer, E. J. Kirlin and John Horn, Jr., of the county of Schuylkill, and Samuel Meck and Henry Hossler, of the county of Berks, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, under the name, style and title of the Port Clinton bridge company, for the purpose of erecting a bridge across the river Schuylkill, below or south of the mouth of the Little Schuylkill river, in the borough of Port Clinton. Commissioners. Style. Bridge to be erected.

SECTION 2. That the capital stock of said bridge shall be five thousand dollars, to be divided into shares of twenty-five dol- Capital.

Power to increase.

When an election for officers may be held.

Notice to be given.  
Officers.

Other companies may subscribe to stock.

Subject to.

lars each, with power to increase the same, if necessary, to an amount sufficient for the erection of said bridge.

SECTION 3. That whenever one thousand dollars of the capital stock shall have been subscribed, the commissioners named in this act, or any three of them, may hold an election for officers of the said company, of which election ten days previous notice shall be given by hand-bills or otherwise; the board shall consist of a president, five directors, treasurer and a secretary.

SECTION 4. That it may be lawful for any turnpike, railroad or canal company to subscribe to the capital stock of said bridge company.

SECTION 5. That the said company shall be organized under and subject to all the provisions and restrictions of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 726.

## AN ACT

To authorize the Administrator of William Hancock, deceased, to sell certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for J. Fuller Reynolds, administrator of the estate of William Hancock, late of Kingston, Luzerne county, Pennsylvania, deceased, to grant, bargain, sell and convey such parts and portions of the real estate of such decedent as may be, in his opinion, needful to pay debts and educate the minor children of the decedent, or such parts and portions of said real estate as, in the opinion of said administrator, it would be advantageous to the estate of said decedent to have sold; and the said administrator is hereby authorized to sell, at public or private sale; but before any such sale vests title fully in any vendee, the terms and conditions of such sale and the name of the purchaser shall be reported to the orphans' court of the county in which the land lies, and shall be accompanied by the assent, in writing, to such sale, of the guardian of the

minor children of said decedent; and if, upon such report, the court aforesaid shall approve any sale made as aforesaid, then and in that case the said court shall order such report to be filed and approved, and shall direct the administrator to file a bond, with sufficient sureties, with like condition as is prescribed in case of the sale of real estate by an administrator, under the order of the orphans' court; upon the report aforesaid being made, with the written assent aforesaid, the approval of the court, and the filing and approval of the bond aforesaid, the said court shall, thereupon, confirm the sale absolutely; and then the said administrator shall have power to convey the lands sold, and to make a deed or deeds for the same to the purchaser thereof.

SECTION 2. That the said administrator is hereby authorized to report any contract or contracts, in writing or by parol, for the sale of real estate made by the said decedent in his lifetime, to the orphans' court of the county in which the land lies, with a statement of the amount of purchase money claimed to be due, which report shall be accompanied by the assent, in writing, of the guardian of the minor children of decedent; and if the said court shall approve the said report, the necessary order shall be made for securing the purchase money that may yet be due by bond, with security; and upon the filing of such bond by the administrator, and its approval, said court shall direct the administrator to make the necessary conveyance or conveyances, and to take such security for the balance of purchase money, by lien upon the premises conveyed, as he may deem best; and the administrator shall have full power to convey to the purchaser all such estate and title as the intestate had at and immediately before his death, in and to the lands aforesaid: *Provided*, That the administrator shall not be answerable for any moneys that cannot be collected and that do not come to his hands, if the lien for such moneys has been preserved upon the premises for which such moneys were to be paid.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 727.

## AN ACT

To incorporate the Union Deposit Cemetery Association.

Corporators.	<p><b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That George Hocker, George Landis, John Hoover, Abraham Mader, Samuel Betchtold, Joseph Farnsler, Isaac Horshey, David Rambler, Sen., Dr. David C. Keller, Jacob Landis, John Landis and John H. Ebersole, with such other persons as they may associate with them, and their successors, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Union Deposit cemetery association, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity; and may have and use a common seal, and the same to alter or renew; and shall have power to purchase, have, hold and enjoy, to them and their successors, any real estate which they may purchase in the vicinity of Union Deposit, in the county of Dauphin, for the purpose of establishing said cemetery: <i>Provided,</i> The whole of said real estate shall not exceed ten acres; and the corporators shall have authority to receive gifts or bequests, for the purpose of ornamenting and improving said cemetery, and to hold personal property, such as may be deemed necessary to carry out the object of this act; and it shall be the duty of the managers, out of the proceeds of sale of burial lots, or so much thereof as is not required for fencing and improving the same, to create a fund to be invested in mortgage or other good securities; the income to be expended in repairing the same from time to time; and the fund so raised on the cemetery itself, shall be considered independent from any congregation; and the same shall be held and enjoyed for the use of said cemetery in any way the lot-holders may determine.</p>
Style. Powers and privileges.	
Managers to create a fund to be invested.	
Income, how expended, &c.	
Election of trustees.	<p><b>SECTION 2.</b> The affairs of said corporation shall be conducted by five trustees, who shall be elected by the members of the corporation every year on the first Saturday of December; the first election to be held in the year one thousand eight hundred and sixty, and until that time the board shall consist of George Hocker, George Landis, Joseph Farnsler, John H. Ebersole and Abraham Mader: <i>Provided,</i> That the members of the board of trustees shall be lot-holders of said cemetery: <i>And provided also,</i> That all vacancies occurring in the board of trustees, by death or resignation, shall be filled by appointment made by the remaining members of the board.</p>
Members of board until election.	
Trustees to be lot holders.	
Vacancies.	
President.	<p><b>SECTION 3.</b> That the said trustees and their successors shall out of the number elect one president, who shall have the casting vote in case of a tie, and shall elect out of the lot-holders such other officers as may be necessary, and define their respective duties; make all by-laws and regulations necessary to trans-</p>
Other officers.	
By-laws.	

act the business of the board; and shall have power to enclose the cemetery grounds, the same to lay out and ornament, divide and arrange into suitable plots and burial lots, to sell and dispose of such plots and burial lots, for the purpose of sepulture, to individual members and families, under such conditions, rules and regulations as the board of trustees may establish; to execute and deliver deeds for the same; to make such by-laws and regulations as may be deemed necessary for the government of all persons burying in the cemetery; and shall annually submit a statement of the condition of the treasury to the lot-holders of said cemetery: *Provided*, That the by-laws of the corporations shall not be inconsistent with the constitution of the United States and the constitution of this commonwealth: *And provided also*, That said board of trustees shall not prescribe any particular religious rite or ceremony to be performed at the burial of the dead.

Duties and powers of trustees.

Proviso.

Proviso.

SECTION 4. That no lots in said cemetery shall be used by the purchaser thereof for any other purpose than the burial of the dead; and said lots shall be exempt from seizure, levy or sale under or by virtue of any execution or process; and no person shall be at liberty to sell his or her lot to any person or persons, whomsoever, without the written consent of the board of trustees.

Prohibition.

Exempt from levy or sale.

Transfers.

SECTION 5. That all persons wilfully injuring any of the fences, railing, trees, shrubs, plants, monuments, tombs, stones, avenues, walks, or any other property of said cemetery, shall be deemed guilty of malicious mischief, and shall be subject to prosecution therefor by indictment: *Provided*, That the board of trustees reserve sufficient ground for the free interment of destitute persons: *Provided also*, That no streets, roads or alleys shall hereafter be laid out or opened through the lands of said corporation, except by consent of the said trustees.

Penalty for injuries to fences, trees, stones, &c.

Ground to be reserved for interment of poor.

Streets, roads, &c., relative to.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 728.

## AN ACT

To incorporate the Etna Insurance Company, to be located in Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Commissioners.** Robert Perry, Richard Ludlow, S. Henry Norris, James Deane, H. K. Richardson, James M. Preston, David Hamaker, William A. Steelman, William M. Bull, William W. Watt and Samuel B. Jones, of the city of Philadelphia, are hereby appointed commissioners, and any five of them shall have power, from and after the passage of this act, to establish an insurance

**Name.** company, by the name and title of the Etna insurance company, to be located in the city of Philadelphia, with a capital stock

**Capital.** of fifty thousand dollars, divided into shares of fifty dollars

**May increase.** each, with the privilege to increase the said capital stock to two hundred thousand dollars, and to be organized and managed

**How organized and managed.** according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of

**Limited to certain class of risks.** April, one thousand eight hundred and fifty-six, and shall be limited to risks designated in the first clause, in the seventh

**Business upon mutual principle.** section of said act, and transact its business upon the mutual principle, in connection with its capital stock, as aforesaid.

**Additional privileges granted.** SECTION 2. In addition to the general powers and privileges, as conferred in the foregoing section, the corporation hereby created shall have power and authority to make insurances on the payments of rents accruing or to accrue from the leasing or letting, or hiring of real or leasehold estate, and the use and occupation thereof, and to make all and every insurance or guarantee appertaining to the rents, profits or income, as aforesaid, and to let or re-let any premises, the rent or income whereof may have been insured, according to the provisions of this act; and also to insure the prompt and punctual payment of interest on bonds secured by mortgage or otherwise; and also to insure the prompt and punctual payment of promissory notes of individuals or corporations, according to the tenth condition thereof.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 729.

## AN ACT

To incorporate the Susquehanna Bridge Company, at Safe Harbor, Lancaster county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

for the purpose of erecting a bridge over the Susquehanna river, at Safe Harbor, Jacob F. Fry, Abraham Peters, J. K. Sheak, C. B. Herr, C. Brenneman Herr, W. W. Miller, Edward Hess, C. J. Rhodes, Henry Baumgardner, Thomas Baumgardner, M. E. Millinger, M. Lefevre, A. G. Bowers, Jacob Erb, Jacob Fehl, Abraham Miller, Christ. Good, Martin Good, Benjamin Good, Amos Lowbeer, J. B. Warfel, Benjamin Eshelman, Adam Miller, A. E. Roberts, D. F. Young, Jonas Harnish, George W. Murphy, John Reed, William Reed, Alexander Graham, William Taylor, Daniel Kline, William M'Dowell, John Bear, William Murphy, Wm. Jome, Wm. Thompson, Jacob Poist, Abraham Gibbs, A. Bortsfeld, Peter Campbell, G. H. Hise, Isaiah Brenner, C. Malkorn, I. Sourbeer, R. Sourbeer, I. M. Hess, or a majority of them, be and the same are hereby appointed commissioners to do and perform the several duties hereinafter mentioned; that is to say, they shall, on or before the first Monday of July next, procure a book or books and enter therein as follows: "We whose names are hereunto subscribed, do promise to pay to the president, managers and company to erect a bridge over the Susquehanna river, at Safe Harbor, in the county of Lancaster, for the use of said company, the sum of fifty dollars for each share of stock set opposite our names respectively, in such manner and proportions, and at such times and places as shall be determined by the president and managers, in pursuance of an act of the general assembly of this commonwealth, entitled 'An Act authorizing the governor to incorporate a company to erect a bridge over the Susquehanna river, at Safe Harbor, in the county of Lancaster.' Witness our hands this — day of —, one thousand eight hundred and sixty —;" and shall thereupon give notice in two newspapers, one in Lancaster county and one in York county, for three weeks at least, of the time and places when and where such book or books shall be opened to receive subscriptions for the stock of said company; at which time and places some one or more of the said commissioners shall attend, and shall keep open said book or books at least six hours in every day, for at least two successive days, if so many shall be necessary, and allow any one above the age of twenty-one years to subscribe therein, in his or her own name, or in the name or names of any other person or persons by whom he or she may be authorized to do so, for any number of shares of said stock, until two thousand shares shall be subscribed, when the books shall be closed. But if the whole number of shares shall not be subscribed, the said commissioners may adjourn to such time and places as they shall think necessary, to receive subscriptions as aforesaid, and give such further notice as they shall think proper; and when the subscription shall amount to two thousand shares as aforesaid, the books shall be closed: *Provided always*, That every person offering to subscribe in said book or books, in his or her own name, or in the name of any other person, shall, at the time of subscribing, pay to the attending commissioner or commissioners two dollars on every share so subscribed, out of which shall be defrayed the expenses of taking such subscription, and other incidental charges, and the remainder, if any there be, shall be paid over to the treasurer

Commissioners.

Duties of.

Subscriptions to capital stock.

Notice to be given.

Number of shares to be subscribed.

Proviso.



of the corporation, as soon as the same shall be organized and the officers thereof chosen as hereinafter directed; such first payment on each share to be taken and considered as part payment on each share subscribed.

When letters patent may issue.

SECTION 2. That as soon as five hundred shares shall have been subscribed, the said commissioners, or a majority of them, may certify the same, together with a list of the subscribers and the shares subscribed by each, in writing to the governor, who thereupon shall constitute the said subscribers, and also all those who may in future subscribe under the provisions of this act, a body corporate or politic, by the name and style of the President, Managers and Company of the Susquehanna bridge; and by the said name the subscribers shall have perpetual succession, and shall be capable of holding their capital stock, and the increase and profits thereof, and increasing the same, from time to time, by new subscriptions, in such manner and form as they shall think proper, if such increase be thought necessary to fulfil the intent and meaning of this act, and of purchasing and holding to them and their successors and assigns, and of selling, transferring, and conveying, in fee simple or any less estate, all such lands, tenements, hereditaments and estates, real, personal and mixed, as shall be necessary to them in the prosecution of their work, and of suing and being sued, and of doing all and everything which a body politic and corporate may lawfully do.

Style.

Powers and privileges.

Organisation.

SECTION 3. That any ten of the persons named in the letters patent of incorporation shall, as soon as conveniently may be after the sealing of the same, give notice in one newspaper printed in the city of Lancaster, and one newspaper printed in the borough of York, of a time and place to be appointed, not less than twenty days from the time of giving said notice; at which time and place the said subscribers shall proceed to organize the corporation, and shall choose by a majority of votes of the said subscribers present, by ballot, to be delivered either in person or by proxy duly authorized, one president, ten managers and one person for secretary and treasurer, and such other officers as they may think necessary to conduct the business of the company during one year, and until other officers be chosen, and shall have power to make such by-laws, rules and regulations, not inconsistent with the constitution and laws of this state or of the United States, as may be necessary for the well ordering of the affairs of the company: *Provided always*, That no stockholder shall have more than one vote for each share not exceeding five shares, and one vote for every two shares above five and not exceeding eleven shares, and one vote for every three shares above eleven and not exceeding twenty shares, and one vote for every five shares above twenty: *Provided also*, That no person shall have more than twenty votes at any election, in determining any question arising at such meetings, whatever number of shares he may have subscribed.

Officers.

By-laws.

Votes.

Proviso.

Annual meeting and election.

SECTION 4. That a public meeting of said stockholders shall be held on the first Monday in January next following the first election had as aforesaid, and on the first Monday of January in every succeeding year, at such place as shall be fixed by the rules and orders of the said company, for the purpose of choos-

ing officers for the ensuing year, and the determination of any question affecting the interest of said company.

SECTION 5. That the president and managers shall procure certificates for all the shares of stock in said company, which shall be signed by the president and countersigned by the treasurer, and sealed with the seal of the incorporation; and each subscriber shall be entitled to one such certificate for each share by him subscribed for, on paying to the treasurer in part of the sum due thereon, five dollars on each share, which certificate shall be transferable, either by the owner, in person, or by his attorney duly authorized, in the presence of the president or of the treasurer for the time being, subject, however, to the payments due or that may come due thereon; and the person to whom such transfer shall be made shall stand in the place of the former holder of the certificate, and be entitled to the same privileges in the company.

Certificates of stock to be issued

Transferable.

SECTION 6. That the president and managers shall meet at such times and places, and shall be convened in such manner, as shall be agreed on, for transacting the business of the company; at which meeting a majority shall be a quorum, who, in the absence of the president, shall choose a chairman *pro tempore*, and shall keep minutes of their proceedings, fairly entered into a book to be kept for that purpose; and a quorum being met, they shall have full power and authority to appoint such engineers, assistants and workmen as they shall deem necessary to the erection of said bridge, and they shall fix their salary and wages; they shall also have power to make contracts, to ascertain the times, manner and proportions in which the stockholders shall pay the money due on their respective shares, draw orders on the treasurer for the money necessary to pay salaries, wages, and bills for work done and labor performed, or materials furnished, which orders shall be signed by the president, or in his absence, by a majority of the quorum, and countersigned by the secretary, and to do and transact all such other matters and things as by this act or by the by-laws of the company shall be committed to them.

Powers and duties of president and managers.

SECTION 7. That if any stockholder, after thirty days notice, in the manner aforesaid, of the time and places appointed for the payment of any proportion, dividend or instalment of said capital stock still due on each share, shall neglect to pay the same for the space of thirty days after the day whereon the same shall be appointed to be paid, every such stockholder shall, in addition to the instalments so called for, pay at the rate of two per cent. per month for every delay of such payment; and if the same, and the said additional penalties, shall remain unpaid so long that the accumulated penalties shall become equal to the sum already paid on such share, the same shall be forfeited to the company, and may be sold, under the direction of the president and managers, or the majority of a quorum of them, at any of their meetings for transacting the business of the company; the order for that purpose being first entered in the minute book by the secretary of such meeting.

Payment of instalments, relative to.

SECTION 8. That before the president and managers of the company aforesaid, shall proceed to build said bridge, it shall and may be lawful for them to contract with the owner or

May contract with owners for purchase of land.

Mode of settlement in case of disagreement as to value.

owners of any land, for the purchase of so much thereof as shall be necessary for the purpose of erecting and completing said bridge, and making all the necessary works and causeways to and from the same, if they can agree with the said owner or owners; but in case they can not agree, then it shall and may be lawful for the said president and managers to apply to the court of common pleas of the proper county, who, upon such application, are hereby authorized and required to appoint three disinterested persons of such county, who, after being duly sworn or affirmed, faithfully to perform the duties enjoined on them by this act, shall carefully proceed to view and examine so much of the said lands as shall be necessary for the purpose of erecting and completing the said bridge, and making all the necessary works and causeways to and from the same; and shall, according to the best of their skill and judgment, estimate the value of the said lands so necessary to be taken as aforesaid; and having estimated the advantages as well as disadvantages which may be sustained by the owner or owners of such lands, shall make an appraisement thereof, in writing, and the same shall return, together with a map or draft describing the bounds of such lands, to the said court of common pleas; and the said appraisement having been approved by the court, shall be filed in the prothonotary's office, together with the said map and draft; and the said president, managers and company having paid to the said owners respectively, the several sums awarded to be paid to them, together with the costs of appraisement, after the same shall have been confirmed by the court, the said corporation shall be entitled to have and to hold, to them, their successors and assigns, the said lands, as fully as if they had been conveyed by their respective owners: *Provided*, That said appraisement shall be held to be confirmed by the court of common pleas, unless exceptions be filed by either party, within ten days after the same shall have been approved by the court and filed.

*Provide.*

Authorized to enter upon lands, cut timber, dig, quarry, &c.

Payment of damages.

SECTION 9. That it shall be lawful for the president and managers, their superintendents, engineers and workmen, to enter on lands and enclosures, near the place where the bridge is to be built, for the examination and location of the same, and to cut and carry away any timber, or dig gravel, quarry stone, or gather sand, necessary for building said bridge; also to enter thereon with wagons, carts, sleds, sleighs or beasts of burden or draught, and to take and carry off any material necessary in the construction of said bridge, doing as little damage as possible, and making amends for any damage that may be done, or giving security for the payment of the same; and if the parties cannot agree upon the amount of damages that may be done, said damages shall be assessed as road damages are now by law assessed; and when viewers, appointed according to the laws relative to road damages, assess and report damages in favor of the owner or owners of such lands and enclosures, the said president and managers shall pay such damages, so assessed, together with all the costs of such view; and in case of the refusal of said president and managers to pay the same, the court in which said report of viewers was filed, shall en-

force payment thereof, by execution, attachment or sequestration.

SECTION 10. That the president and managers of said company shall keep fair and just accounts of all moneys received by them from the subscribers to the capital stock of said company, for all penalties for delay in payment thereof, and of the amount of the profits or shares which may be forfeited as aforesaid, of all voluntary contributions, and all moneys expended by them in the prosecution of the said work, and shall, once in every year, submit such accounts in detail to a general meeting of the stockholders, until the said bridge be completed, and all expenses incurred in erecting the same, shall be fully paid and discharged; and the aggregate amount of all such expenses shall be ascertained and liquidated; and if in such liquidation, or whenever the whole capital stock of the said company be nearly expended, it shall be found that the capital stock will not be sufficient to complete said bridge according to the true intent and meaning of this act, it shall be lawful for the said company, at a stated or special meeting, to be convened according to the provisions of this act, or their own by-laws, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to demand and receive the moneys subscribed on such shares, in like manner and under like penalties as are herein provided for the original subscription; which additional shares shall entitle the holder to the same rights and privileges as those originally subscribed for.

Accounts to be kept and submitted annually.

Number of shares may be increased

SECTION 11. That when the said company shall have erected and completed a bridge over the Susquehanna river, at the place aforesaid, the property thereof shall be vested in the said company, their successors or assigns; and the said company, their successors or assigns, are hereby empowered to erect gates and to demand and receive tolls for crossing said bridge, at such rates as the president and managers shall from time to time determine: *Provided*, They shall cause to be put up and kept in some conspicuous place, at the gates of said bridge, a list of the rates of toll: *Provided also*, That the bridge shall be so constructed as not to injure or obstruct in any manner the navigation of the Susquehanna river.

Tolls to be received.

List of rates to be put up.

Construction of not to obstruct navigation.

SECTION 12. That if the said company, their successors or assigns, or any person employed for them, shall collect or demand any greater rate or prices for passing over said bridge than what is prescribed in the list of tolls put up at the gate as aforesaid, or neglect to keep said bridge in repair, he or they shall forfeit for every such offence the sum of twenty dollars, to be recovered as debts of a similar amount are recovered, one-half to be paid to the county, and the other half to the person who may sue for the same.

Penalty for collecting unlawful tolls or neglect to keep bridge in repair.

SECTION 13. That the said president, managers and company shall keep a just account of all moneys received by their several collectors of tolls for crossing the said bridge, and after deducting all contingent costs and charges, and such proportion of the income as may be sufficient for a fund to provide against the decay, the repairing and re-building of the said bridge that time and accident may render necessary, they shall declare and make a dividend of the balance, and shall semi-annually, on the first

Accounts of tolls.

Fund for repairing or re-building.

**Dividends.**

week in January and July, publish the dividend to be made of the clear profits arising from the tolls as aforesaid, among the stockholders, and the time and place when and where the same shall be paid, and shall cause the same to be paid accordingly in ten days thereafter, or as soon as the same shall be demanded after the said ten days have expired.

**Penalties for injuries to property, obstructing passage, &c.**

SECTION 14. That if any person or persons shall wilfully pull down, break or destroy, with intent to injure any part or parts of the said bridge, or any toll-house, gates, bars or other property of the said corporation, erected for the use of said bridge or the persons employed in conducting the business thereof, or shall wilfully deform or destroy the letters or figures on any list of the rates of tolls affixed in any place for the information of passengers, or shall wilfully or maliciously obstruct or impede the passage on or over the said bridge, or any part or parts thereof, he, she or they so offending shall each of them forfeit and pay for each and every offence, to the said company, the sum of twenty dollars, to be recovered as other debts of like amount are recoverable, and be imprisoned, in the jail of the proper county, for a period of not less than ten nor more than thirty days, at the discretion of the court; and if any person shall be guilty of carrying any lighted cigar or pipe, or of carrying fire in any manner whatsoever over said bridge, except in a lantern or in some vessel secured, so that the probability of setting fire to said bridge shall be fully prevented, or shall discharge any pistol or gun, or any fire arms, on or near said bridge, he, she or they so offending shall forfeit and pay to the said company the sum of twenty dollars, and suffer imprisonment as aforesaid; or if any person or persons shall ride or drive on or over said bridge, in a faster gait than a walk, he, she or they so offending shall forfeit and pay to the said company the sum of ten dollars for every such offence, to be recovered in like manner as aforesaid; but no suit shall be brought for any of the aforesaid offences unless commenced within thirty days after it shall be known who committed said offence; and he, she or they so offending shall remain liable to actions, at the suit of said president, managers and company, for such wrongs, if the sums herein mentioned be not sufficient to repair and satisfy said damage.

**Suits to be commenced within thirty days.**

**Limitation and reservation.**

SECTION 15. That if the president, managers and company for erecting the bridge aforesaid, shall not proceed to carry on said work within the space of four years from the passage of this act, and shall not within the space of six years from the passage thereof complete the same, the rights and privileges hereby granted to the said company shall revert to the commonwealth.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 730.

## A N A C T

To incorporate the Roberts Iron Company of Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Edwards Roberts, John G. Fell, Francis A. Comley, Algernon Roberts, George B. Roberts, Tinsley Jeter, Franklin P. Mickley, Paul Balliet, Samuel Lewis, John D. Stiles, John Craig, James Klein, Aaron Eisenhart, and such other persons as they shall associate with them, and their successors, be and they are hereby created a body politic and corporate, for the purpose of manufacturing iron in Lehigh county, under the name and style of the Roberts iron company, with a capital stock of three thousand shares, of fifty dollars each, with the power to increase the same, as they may deem fit, to ten thousand shares, with all the powers and privileges which were granted to, and subject to the restrictions imposed upon, the Northampton iron company, by act of assembly approved March tenth, eighteen hundred and fifty-seven: *Provided*, That it shall not be lawful for said company to mortgage their iron works, or to create any lien on or against the same.

SECTION 2. That this act shall take effect whenever two thousand shares of stock shall have been subscribed, and ten per cent. thereon paid in cash: *Provided*, That the said company shall pay into the state treasury, for the use of the commonwealth, a bonus of one-half of one per cent. on the capital of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made on issuing of the letters patent.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the Roberts iron company of Lehigh county," passed the House of Representatives on the twenty-eighth day of March, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned by the governor with his objections to the Senate, in which it originated, was agreed to by two-thirds of the House of Representatives on the second day of April, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the House.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

Attest :—E. H. RAUCH,  
*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act to incorporate the Roberts iron company," passed the Senate on the twenty-seventh day of March, one thousand eight hundred and sixty, which has been disapproved by the governor, and returned with his objections to the Senate, in which it originated, was agreed to by two-thirds of the Senate, agreeably to the constitution, on the second day of April, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the Senate.

WM. M. FRANCIS,  
*Speaker of the Senate.*

Attest:—RUSSELL ERRETT,  
*Clerk of the Senate.*

No. 731.

## AN ACT

To incorporate the Merion Cemetery.

### Preamble.

WHEREAS, Certain citizens of the county of Montgomery are desirous of establishing a cemetery in the township of Upper Merion, in the vicinity of the borough of Bridgeport, Montgomery county, and with that view contemplate purchasing a tract of land in said township, now belonging to the estate of Jonathan Roberts, deceased, containing about thirty acres, including two acres which, it is understood, the heirs and legal representatives of the said deceased, in conformity with his wishes as expressed in his life-time, are willing to dedicate and set apart, in the mode and manner hereinafter referred to, as a place for the burial of all those whose remains their relatives or friends may desire to have interred therein, free of charge; for the purpose, therefore, of establishing and perpetuating such cemetery,

### Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William B. Roberts, Charles J. Elliott, George W. Shainline, Cadwalader Evans, Edward F. Roberts, William H. Holstein, Daniel Hallowell, Samuel Brooke, William Rossiter, William Carver, Jonathan M. Roberts, John B. Adams, David Adams, and their successors, be and they are hereby created and declared a body corporate, by the name, style and title of Merion cemetery, and by that name shall have perpetual succession, and be capable in law to purchase, hold, possess, use, enjoy and sell, and dispose of estate and property, real and personal; to have a common seal, to plead and be impleaded, to make by-laws, rules and regulations for the government of the corpora-

### Name.

### Powers.

### Seal.

### By-laws.

tion, and do all such other things as are incident to a corporation, and until the election of managers, shall exercise all the powers thereof: *Provided*, That the whole quantity of real estate to be held by them as a corporation shall not exceed thirty acres; the said corporation, however, to have authority to receive gifts, bequests or legacies, for the purpose of ornamenting or improving said cemetery, and to hold such personal property as may be necessary to carry out the objects of this incorporation. Proviso.

SECTION 2. The capital stock of said Merion cemetery shall be ten thousand dollars, to be divided into one hundred shares, of the par value of one hundred dollars each. Capital stock.

SECTION 3. The affairs of said corporation shall be conducted by seven managers, who shall be elected annually, on the first Monday in January, in each and every year, notice of such election to be given by publication in one newspaper published in said county, at least twenty days prior to the time of holding the same; said managers to be elected by a majority of the votes of the members of the corporation, and who themselves shall be members of the same; each member of the corporation shall be entitled to one vote for each share of stock that he or she may hold, up to the number of ten, and in no event to be permitted to cast more than ten votes. Election of managers.

SECTION 4. The managers shall elect from amongst their number a president, to serve one year, and shall have power to appoint all necessary officers and fix their several duties and compensation; the first election of managers shall be had at such time and place as the corporators, named in the first section of this act, shall appoint: *Provided*, That such time and place be designated so soon as five thousand dollars of the capital stock shall have been subscribed, or within three months thereafter. Votes.

SECTION 5. The said corporators or managers shall have power to lay out, ornament, divide and arrange the grounds of said corporation into suitable plots and burial lots, to erect suitable buildings, and do all other things necessary or proper to be done to make the said lands suitable for a cemetery, and to sell and dispose of such plots and burial lots, for the purposes of sepulture, to individuals, societies or congregations, under such conditions, rules and regulations as the said corporation or managers may establish. Officers.

SECTION 6. That none of the said lots shall be used for any other purpose than that of sepulture, and they shall be free from seizure, levy or sale, under or by virtue of any execution or other process against the grantee or grantees of such lots; and no grantee shall be at liberty to transfer his or her lot to any person whomsoever, without the consent of the managers first had in writing; and the said cemetery shall be forever exempt from taxation, except for state purposes. When first election to be held.

SECTION 7. The managers shall appropriate and set apart twenty-five per cent. of all moneys accruing to the said corporation from the sale of lots, or other current sources, and invest the same in good and safe security as a permanent fund for the support of the said cemetery, until the principal and interest thereof shall amount to the sum of twenty thousand dollars. Powers and duties of managers.

Lots to be used for no other purpose than sepulture.

Exempt from levy or sale.

Transfers.

Cemetery exempt from taxation.

Fund to be invested in good securities for support of cemetery.



Stock to be received at par in payment of purchase money.

SECTION 8. The stock of the corporation shall at all times be received at par in payment of the purchase money for burial lots, at the option of the holder, under such rules and regulations as the by-laws may prescribe; and in all cases of such purchase of lots and payment in stock, the certificates of stock shall be surrendered and cancelled on the books of the corporation.

Managers empowered to accept deed from heirs of Jonathan Roberts.

SECTION 9. The managers of the said corporation shall have power to accept a deed from the heirs and legal representatives of the said Jonathan Roberts, deceased, for the two acres of land heretofore mentioned and referred to, containing such covenants, provisions and stipulations as may be agreed upon by and between the parties thereto, in relation to the care and management of the said two acres as a place for the burial of all those whose remains their relatives or friends may desire to have interred therein, free of charge; such deed to be duly recorded, and to have the same force and effect as if the said covenants, provisions and stipulations therein contained, had been specifically set forth in the act of incorporation and constituted a part thereof.

Burial of their relatives free of charge.

Failure to hold election, relative to.

SECTION 10. If it shall happen that no election shall be held on the day prescribed for that purpose, it shall be lawful on any other day, after similar notice, to hold an election, in such manner as the by-laws of the corporation shall ordain; vacancies in the board of managers, occurring by death, resignation, inability or refusal to act, removal or otherwise, shall be supplied by said board from among the members of the corporation.

Vacancies.

Religious ceremonies, &c.

SECTION 11. In the burial of the dead, the religious ceremonies, and the choice of the minister, shall be controlled by the family or relatives of the deceased, and their free action in the matter shall never be interfered with by any rules or regulations of the said corporation.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 732.

## A N A C T

To incorporate the South Pittsburg Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

William B. English, William K. Minick, R. Miller, Jr., Joseph Ross, Jacob Geib and James M. Bailey, and such other persons as may now be or hereafter shall become associated with them, their successors and assigns, be and they are hereby erected into a body politic and corporate, in deed and in law, by the name, style and title of the Pittsburgh coal company, with all the powers and privileges, rights and franchises, incident to a corporation and in law pertaining to a body politic and corporate.

SECTION 2. The capital stock of said company shall consist of five hundred shares, of one hundred dollars each, with the power to increase the same, from time to time, in such manner as may be provided by the by-laws of said company, to an amount not exceeding twenty-five hundred shares, which said shares of stock shall be personal estate, and transferable as may be provided by the by-laws of said company; and the above named corporators, or such of them as may act, are hereby authorized to receive subscriptions to said stock, in such manner as they may determine, and shall receive letters patent, as provided in the second section of an act of assembly regulating railroads, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

SECTION 3. That said corporation shall have authority to make and use a common seal, and the same to break, alter and renew at their pleasure, and by the name, style and title aforesaid to sue and be sued before any court or justice of the peace in this commonwealth; to make all rules, regulations, by-laws and ordinances, and the same to alter, amend or annul at pleasure, and to do every thing needful for the good government and the transaction of the business of said corporation: *Provided*, That said rules, regulations, by-laws and ordinances be not repugnant to the constitution and laws of the United States or of this commonwealth.

SECTION 4. That the said company, by the name aforesaid, shall have the right to take, receive and hold, in fee simple or for any less estate, coal and coal lands in the townships of Baldwin, Upper and Lower Saint Clair, and Chartiers, in the county of Allegheny, not exceeding, at any one time, one thousand acres, with power to sell, mortgage, lease or otherwise dispose of the same, or any part thereof, and to work, mine, transport to market, and vend the coal and other minerals contained in said lands.

SECTION 5. That said company shall have the power to construct and operate, in said county of Allegheny, railroads from any portion of their lands, and to connect with the Ohio or Monongahela rivers at whatever points they may desire, and to make such depots, platforms, turn-outs and lateral roads as they may deem necessary; and take, receive and hold such lands as may be necessary for the convenient working of the said roads: *Provided*, That none of said roads shall exceed ten miles in length; and that in the construction of the same, said company shall have the powers and privileges, and be subject to all the limitations and restrictions, of an act of assembly regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine; and

Corporators.

Style.

Capital stock.

May be increased

Shares to be transferable.

Subscriptions to stock.

Letters patent.

Seal.

By-laws.

Proviso.

Powers.

Authorized to construct railroads.

None to exceed ten miles.

Subject to.

When to be opened.	as soon as three miles or more of such road shall be completed
May collect tolls.	the same shall be opened as a public highway; and the company shall have the right to collect and receive the same tolls that the Little Saw Mill Run railroad company are authorized by law to collect and receive.
Borrow money.	SECTION 6. That said company are hereby authorized to borrow any sum of money, not exceeding one-half the amount of stock subscribed, to enable them to carry out the purposes of their organization, and to issue bonds for the payment of the same, on such terms and at such rates of interest as they may deem best, and shall have power to mortgage their property, real and personal, to secure the payment of the same: <i>Provided</i> , That they shall issue no bond or mortgage for a less amount than one hundred dollars.
Issue bonds and mortgage property.	
Proviso.	
Directors, election of.	SECTION 7. That the affairs of said company shall be managed and conducted by a board of directors, to consist of not less than five persons, who shall be stockholders and be elected by the stockholders, in such manner and at such a time as the by-laws of the company may provide; and said directors shall elect one of their number as president, and appoint such other officers and agents as the business and interest of the company may require: <i>Provided</i> , That on failure to elect directors at the time designated, an election may be had at any time thereafter, upon two weeks previous notice; and the board of directors and officers shall continue to act until their successors are duly chosen.
Officers and agents.	
Failure to elect, relative to.	
Individual liability.	SECTION 8. That the stockholders of said company shall be jointly and severally liable in their individual capacities and estates, for all debts contracted for work and labor done and materials furnished for said company, to be sued for and collected as is provided by the twelfth, thirteenth and fourteenth sections of the act of assembly incorporating the Lackawanna iron and coal company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: <i>Provided</i> , That said stockholders shall not be individually liable for any bonded or mortgage debt of said company; nor shall any <i>scire facias</i> , as provided in the thirteenth section of said recited act, be issued after one year from the time any debt becomes due, or other liability is incurred.
Not individually liable for any bonded or mortgaged debt.	
<i>Scire facias</i> not to issue after one year from time debt due.	
Bonus.	SECTION 9. That the said company shall pay to the commonwealth of Pennsylvania a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof; and the said corporation shall also pay such taxes upon dividends as are or may be provided by law.
Tax upon dividends.	

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the South Pittsburgh coal company," passed the House of Representatives on the twenty-second day of March, A. D. one thousand eight hundred and sixty, which has been disapproved by the

governor, and returned by the governor with his objections to the House of Representatives, in which it originated, was agreed to by two-thirds of the House of Representatives, on the second day of April, one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the said House.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

Attest:—E. H. RAUCH,  
*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act to incorporate the South Pittsburg coal company," passed the Senate on the thirty-first day of March, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned with his objections to the House of Representatives, in which it originated, was agreed to by the Senate, by a two-thirds vote, agreeably to the constitution, on the third day of April, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the Senate.

WM. M. FRANCIS,  
*Speaker of the Senate.*

Attest:—RUSSELL ERRETT,  
*Clerk of the Senate.*

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No. 733.

## A N A C T

Authorizing the Sale of certain Real Estate.

WHEREAS, William Kinnear did, on the nineteenth day of September, Anno Domini one thousand eight hundred and thirty-eight, convey to the commonwealth of Pennsylvania, in fee simple, one acre of land, at lock number thirteen, of the French Creek division of the Pennsylvania canal:

And whereas, The said canal has been abandoned, and the locks and other property sold by commissioners appointed for that purpose:

And whereas, Damages have been sustained on the lands adjoining said lock number thirteen of the canal; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the secretary of the commonwealth is hereby authorized to make and deliver a good and sufficient deed for said acre of land to the heirs and assigns of William Kinnear, in full of all damages sustained by said William Kinnear and his heirs and assigns: *Provided however,* That said heirs and assigns pay a

sum equal to the original purchase money of said acre into the treasury of this commonwealth.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of July, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 734.

## AN ACT

In relation to Ground Rents and Judgments in Philadelphia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases, in the city and county of Philadelphia, in which ground rents have been or hereafter shall be created by reservation on the sale of any real estate, and judgments, or other lien or liens, have been or shall be obtained against the owners of such ground rents, it shall and may be lawful for the person or persons desiring to pay off a ground rent so situated, to apply by petition to the court of common pleas of the said county, stating the said facts, and praying to be allowed to pay the sum required for the extinguishment of said ground rent into court; whereupon the court shall make an order for such payment into court; and upon the said sum being so paid into court, it shall be the duty of the court to make an order upon the party or parties in whom is the title to the said ground rent, to extinguish the same, reciting, in the deed of extinguishment, the said proceedings; and the deed of extinguishment so made, shall convey a clear title to the said ground rent, free from any lien or incumbrance of the said judgment or judgments, or other incumbrances or any of them; and it shall be the duty of the court to proceed immediately, through an auditor, to the distribution of the money so paid into court, with the like forms and with the like effect as attend the distribution of moneys paid into court by the sheriff from the sales of real estate.

SECTION 2. The defendant in any judgment may apply, by petition, to any of the courts in said city and county, setting forth that a judgment in force against him in such court is apparently a lien on real estate against which the plaintiff or plaintiffs is not equitably entitled to enforce the same, and would not be entitled to claim any part of the proceeds thereof by virtue of said judgment, if the property were sold by any judicial sale

whatsoever, to which petition shall be attached a description of the property so claimed to be exempt from the lien of the judgment; whereupon the court shall issue a citation, directed to the plaintiff or plaintiffs, to show cause why a decree should not be made, that the lien of such judgment should not extend to said property or affect the title thereof; and unless the plaintiff or plaintiffs shall in answer thereto aver, under oath or affirmation, that he or they believe the judgment to be an existing lien on such property, or part thereof, specifying what part, which he or they are legally and equitably entitled to enforce as such, and that he or they claim and desire so to hold and enforce such judgment, the court shall make a decree, such as aforesaid, and the property in question shall be and remain forever discharged from the lien of such judgment. If the plaintiff should answer the citation as aforesaid, then the court shall order an issue to be formed to try the question, whether the judgment is an existing lien which the plaintiff is legally and equitably entitled to enforce as aforesaid; and on the determination of such issue, if decided against the defendant, his petition shall be dismissed, and if against the plaintiff, a decree, such as aforesaid, discharging the property from the lien of the judgment, shall be made: *Provided however*, That if the answer and claim of the plaintiff, as aforesaid, shall apply only to part of the property in the defendant's petition mentioned, the issue shall only refer to such part, and a decree, discharging the residue of the property from the lien of the judgment as aforesaid, shall at once be made without the determination of the issue: *And provided also*, That whenever the defendant shall deposit in court an amount of money sufficient to cover the judgment, interest and costs, or the bonds of this commonwealth to an equal value, in the opinion of the court, from which, in case the issue should be decided against him, the judgment shall be paid and otherwise returned to the defendant or his assigns, the decree discharging the land from the decree of the judgment shall at once be made; the proceedings in the issue otherwise to proceed, the money or the securities aforesaid being substituted for the land: *And provided further*, That the defendant making any such application as aforesaid, shall pay the costs of any such proceedings, including a reasonable fee to plaintiff's attorney, to be fixed by the courts, and shall give security therefor before the issuing of any citation as aforesaid.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixth day of September, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 735.

## AN ACT

To incorporate the Susquehanna and Philadelphia Railroad Company.

Commissioners.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> Henry C. Eyer, W. F. Eckbert, B. Schoch, Thomas Bower, Henry W. Snyder, George Schause, Philip Hilbish, Henry Smith, Isaac Rothrock, George A. Smith, John Emmitt, George Eby and W. F. Wagonseller, of Snyder county; S. G. Dressler, C. Seichrist, Jonathan Weiser and Walter App, of Juniata county; John Reifsnyder, Henry W. Shuman, George Blattenberger, R. F. Thompson, George Novioch, of Perry county; James Marshall, John Datesman, Eli Slifer, G. F. Miller, James S. Marsh, Thomas Hayes and Peter Beaver, of Union county, or any five of them, be and they are hereby appointed commissioners, to open books, receive subscriptions and organize a company, by the name, style and title of the Susquehanna and Philadelphia railroad company, with power to construct a railroad from the borough of Sunbury, in Northumberland county, or from any point between said borough of Sunbury and the borough of Williamsport, in Lycoming county, through the borough of Selinsgrove, Snyder county, and the borough of Liverpool, in Perry county, with the right to connect with the Pennsylvania Central railroad, at or near the junction of the Susquehanna and Juniata rivers, in the county of Perry, and with the right to connect with the Sunbury and Erie, or any other railroad now made or hereafter to be made in Northumberland or Lycoming counties, said road to be made through the borough of Lewisburg, if it is commenced at or north of said borough of Lewisburg, in Union county.</p>
Name. Construction of road authorized. Route.	
May connect with other roads.	
Capital stock. Increase authorized.	<p>SECTION 2. That the capital stock of said company shall consist of seven hundred thousand dollars, divided into shares of fifty dollars each, with the privilege of increasing the same, from time to time, to an amount sufficient to provide the same with all the necessary cars, locomotives, machinery, depots, water stations, and whatever is necessary to a proper construction and working said road.</p>
May borrow money and issue bonds therefor.	<p>SECTION 3. That in case the president and directors of said company may deem it necessary, in order to complete and equip said road, they are authorized to borrow a sum of money, not to exceed the amount of the capital required, and to issue bonds therefor on the faith of the road, of not less than one hundred dollars each, at a rate of interest not to exceed seven per centum, and to be redeemed at such time as the president and directors may agree upon, and said bonds to be secured by mortgage upon said road, its rolling stock, real estate and franchises of the company.</p>
Mortgage.	
Subject to.	<p>SECTION 4. That the said company shall be entitled to all the privileges conferred upon, and be subject to all the restrictions</p>

proposed by the act, entitled "An Act regulating railroad companies," approved February ninth, one thousand eight hundred and forty-nine, except in so far as the provisions of said act are hereby supplied.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of December, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 736.

## AN ACT

Providing for the Payment of certain Moneys due the Military Fund of Washington county.

WHEREAS, On or about the first day of January, one thousand eight hundred and fifty-eight, H. B. Elliott, then treasurer of the county of Washington, paid to the military fund of the state the sum of nine hundred and sixty-seven dollars and seventy-one cents, when and at which time there were outstanding claims existing in said county against the military fund thereof, due and owing sundry companies and persons, for services and expenses in that brigade, under the law of one thousand eight hundred and forty-nine, to an amount greater than the sum so paid to the state military fund:

*And whereas,* Some of said claims are still due and owing, and some have been paid out of moneys properly distributable under the act of assembly approved April twenty-first, one thousand eight hundred and fifty-eight; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John E. Bell, treasurer of Washington county, be and he is hereby authorized and directed to deduct from the amount of state tax collected or to be collected for the year one thousand eight hundred and sixty, in said county, the sum of nine hundred and sixty-seven dollars, and keep the same subject to the order of the brigade auditors of that military brigade, for apportionment and distribution among the military companies and officers of the brigade as to them may seem just and proper, it being the sum due the said brigade, from military tax, for the year one thousand eight hundred and fifty-eight, and paid by the county treasurer into the treasury of the state: *Provided,*



That the state treasurer is satisfied this amount has been paid by H. B. Elliott, late treasurer of said county.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of December, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 737.

## AN ACT

Relative to Actions of Ejectment.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That:* in actions of ejectment where the defendant or defendants shall have neglected or refused to appear and plead on or before the term next after that to which the original process was made returnable, or having appeared and then withdrawn said appearance, if said process shall have been duly served, the court may direct a plea to be entered for the defendant or defendants, and the case shall proceed to trial and judgment as in other cases: *Provided, That the writ shall have been so served on the party actually claiming the title.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of December, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 738.

## A SUPPLEMENT

To an act to Prevent the Erection of Bone-Bolling Establishments in the First ward of the city of Philadelphia, and Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act to which this is a supplement shall apply to the Twenty-first, Twenty-second and Twenty-third wards of the city of Philadelphia: Provided, That this supplement shall not go into effect until the first day of May, one thousand eight hundred and sixty.* Provisions of a certain act extended. Proviso.

SECTION 2. That the act to which this is a supplement be and the same is hereby repealed, so far as it applies to the first precinct of the First ward of the city of Philadelphia. Repeal.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of December, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 739.

## AN ACT

To authorize the Controller and City Treasurer of the city of Philadelphia to audit and settle the Military Account of H. B. Yeager, late Brigade Inspector.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the controller and city treasurer of the city of Philadelphia be and they are hereby authorized and required to audit, settle and pay the military account of Hiram B. Yeager, late brigade inspector of first brigade, first division, Pennsylvania volunteers, for the years one thousand eight hundred and fifty-five*

and one thousand eight hundred and fifty-nine, inclusive, under the act of one thousand eight hundred and fifty-two.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of December, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 740

## AN ACT

To equalize State Taxation in the several cities and counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the board of revenue commissioners shall, for the purpose of equalizing taxation in the several cities and counties of this commonwealth, reduce the aggregate valuation of property in such city or county, such city or county may proceed to collect the state tax, as fixed by law, upon the aforesaid aggregate valuation, and there shall be paid into the state treasury, for state purposes, the quota of such city or county, based upon such reduced valuation, and the tax levied by reason of the excess valuation merely, shall be received by such city or county, as county tax and for county purposes; and the provisions of this act shall apply and extend to those cities and counties in which the aggregate valuation of property was reduced by the last board of revenue commissioners, and shall take effect upon the state tax levied and collected by such cities and counties for the present year.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of December, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## CERTIFICATE

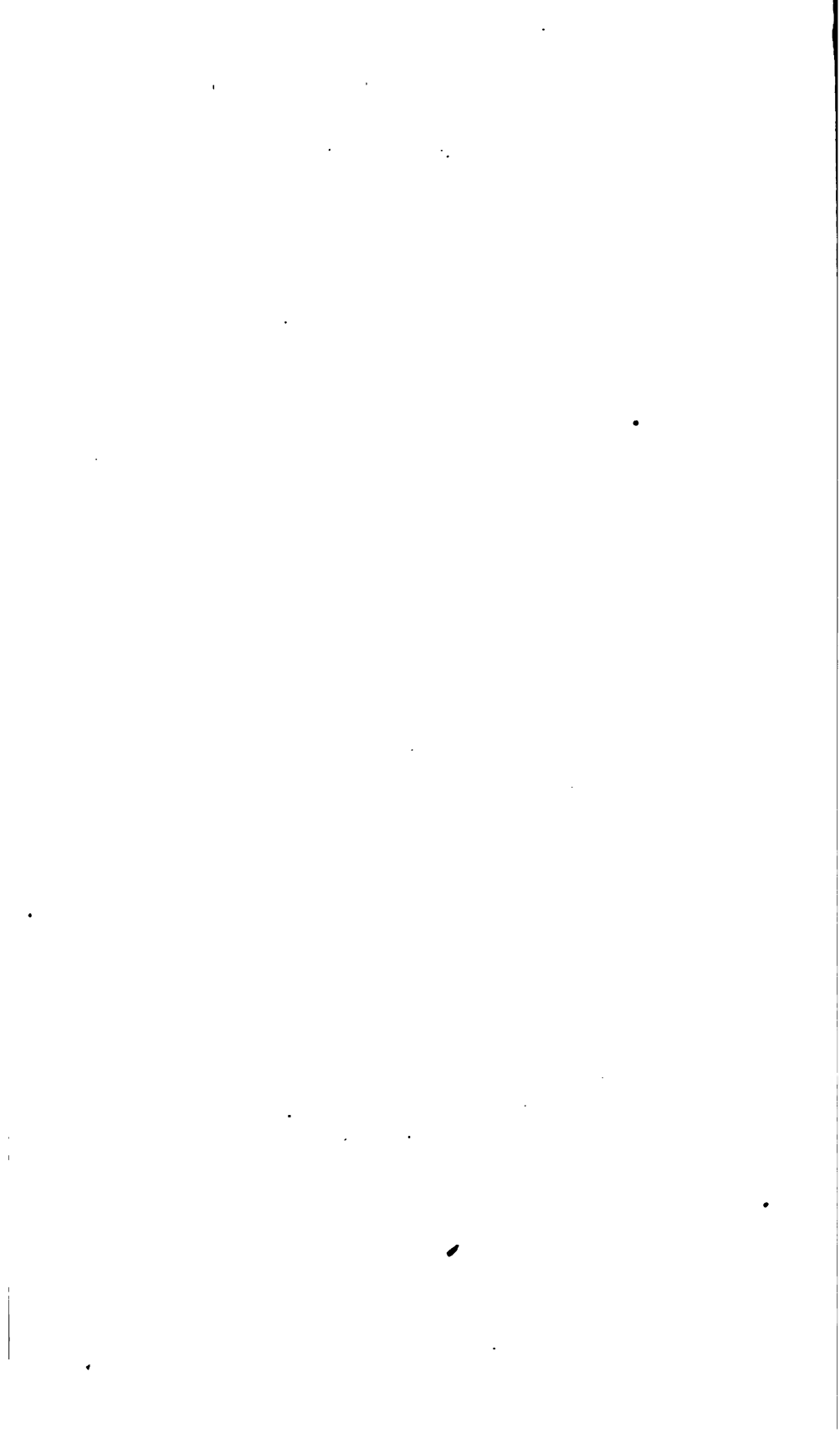
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SECRETARY'S OFFICE,

HARRISBURG, *July 24, 1861.*

I CERTIFY, that in obedience to the directions of an act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with and corrected by the original rolls on file in this office, the proof sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the regular and extra sessions, ending respectively the eighteenth day of April and the sixteenth day of May, 1861, including an APPENDIX, containing laws passed at the sessions of 1853, 1857, 1859 and 1860, upon which the tax has been subsequently paid.

ELI SLIFER,  
*Secretary of the Commonwealth*



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